



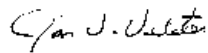
LOCAL RULE 17

In compliance with Indiana Jury Rules 2 and 4 (effective January 1, 2003), the Judges of the Jennings Circuit and Superior Court hereby appoint the Jury Commissioners of Jennings County as the Jury Administrators under Indiana Jury Rule 2.

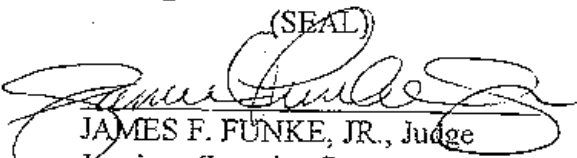
The Courts of Jennings County will use a "two-tier" system as identified in Indiana Jury Rule 4(b).

In selecting jurors under Rule 2, the procedure attached hereto as "Exhibit A", shall be followed by the Jury Administrators.

APPROVED AND SO ORDERED THIS 18th DAY OF OCTOBER, 2002.



JON W. WEBSTER, Judge
Jennings Circuit Court
(SEAL)



JAMES F. FUNKE, JR., Judge
Jennings Superior Court
(SEAL)

EXHIBIT A

JURY SELECTION PROCESS
BEGINNING JANUARY 1, 2003

Pursuant to newly enacted Indiana Jury Rule 2, the Judges of the Jennings Circuit and Superior Court have adopted the following procedure for selecting potential jurors, beginning with those potential jurors selected for the first quarter of 2003.

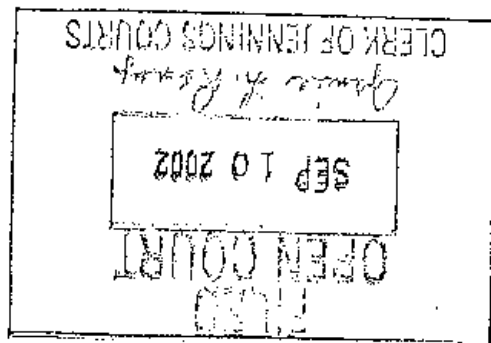
1.) No sooner than December 1, and no later than December 15 of each year, the Treasurer of Jennings County with the assistance of the Auditor of Jennings County, shall prepare and deliver to the Judge of the Jennings Circuit or Jennings Superior Court, a list of real property taxpayers residing in Jennings County. The Judge(s) shall deliver this list to the Jury Commissioners.

2.) For each quarter drawn, 75% of potential petit jurors shall be randomly selected from the list of registered voters, and 25% randomly selected from the list of real property taxpayers.

3.) The method for drawing from real property taxpayers shall be as follows:

The jury commissioners shall randomly select a letter from the alphabet drawn from a hat or basket. The jury commissioner shall then proceed to that letter on the property tax list and roll a dice. If the dice comes up "3", then every third name of that letter shall be selected. If a letter is exhausted, the commissioner shall repeat the process after selecting another letter.

4.) When the new list is delivered to the Jury Commissioners in December, the preceding year's list shall be destroyed by shredding or any other method by which it is totally destroyed.



Jon W. Webster 9-9-02

JON W. WEBSTER, Judge
Jennings Circuit Court

James F. Funke, Jr.
JAMES F. FUNKE, Jr., Judge
Jennings Superior Court

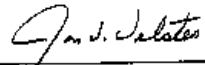
NOTICE REGARDING AMENDED
INDIANA CHILD SUPPORT GUIDELINES

On September 10, 2003, the Indiana Supreme Court issued an Order Amending Indiana Child Support Rules and Guidelines making fairly substantial changes in the way child support is calculated; primarily as it relates to what we have all referred to as the "visitation discount." These changes become effective January 1, 2004.

The Rules and Guidelines have always required counsel to submit worksheets to the Court in support related matters, but I haven't been real strict on this issue up to now.

Beginning January 1, 2004, in any case including child support issues, whether an initial determination or modification, a worksheet must be submitted to the Court, including IV-D cases. This, of course, is going to require exchange of financial information in advance of the hearing so worksheets can be accurately prepared.

Dated: September 22, 2003



Jon W. Webster, Judge
Jennings Circuit Court

MEMORANDUM

TO: All Practicing Attorneys in Jennings County, Indiana
FROM: Judge Jon W. Webster
DATE: June 3, 2003
SUBJECT: Tendered Orders on Petitions for Restricted Hardship Driver's License

As previously mentioned, all tendered Orders on Petitions for Restricted Hardship Driver's License MUST obtain the following paragraph before I will approve same:

NOTHING IN THIS ORDER SHALL BE CONSTRUED AS PERMITTING PETITIONER TO OPERATE ANY VEHICLE REQUIRING A C.D.L. ENDORSEMENT. PETITIONER'S C.D.L. MAY NOT BE REINSTATED DURING THE PERIOD OF TIME HIS REGULAR LICENSE IS SUSPENDED BY THE INDIANA BUREAU OF MOTOR VEHICLES, THIS ORDER NOTWITHSTANDING AND AS PROHIBITED BY §202(D) OF THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS AND 49 U.S.C. §31311(A)(10).

Thank you.

jlg

JENNINGS CIRCUIT COURT

86th Judicial Circuit
Post Office Box 386
Vernon, IN 47282-0386
Phone: (812) 352-3082

Honorable
Jon W. Webster
Judge

Linda D. Buchanan
Tiona G. Sullivan
Court Reporters

Howard D. Hendricks
Bailiff

May 21, 2003

To All Attorneys Practicing
in Jennings Circuit Court

Re: Indiana Rule of Trial Procedure 65

Dear Counselors:

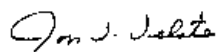
I don't try to make it a practice to bring to your attention recent changes in Indiana law because that, of course, is a never-ending task that I'm sure most of you handle on your own.

However, a recent Indiana decision raises ethical concerns not only for you, but me. That decision is In Re: Anonymous, 786 N.E. 2d 1185 (Ind.App. 2003).

I realize most of you, in filing dissolutions seeking temporary restraining orders, may be using forms or formats accepted in this Court for years. It appears from this decision that a revision in format is needed as well as the procedure in filing for a temporary restraining order in a dissolution. See especially INDIANA RULE OF TRIAL PROCEDURE 65(B) as amended effective July 19, 2002.

Please make sure your forms and/or formats are in compliance with recent statute and rule changes as I will be examining them closely hereafter.

Sincerely,



Jon W. Webster, Judge
Jennings Circuit Court

JWW:tgs

MEMORANDUM

TO: All Practicing Attorneys in Jennings County, Indiana

FROM: Judge Jon W. Webster

DATE: June 3, 2003

SUBJECT: Tendered Orders on Petitions for Restricted Hardship Driver's License

As previously mentioned, all tendered Orders on Petitions for Restricted Hardship Driver's License MUST obtain the following paragraph before I will approve same:

NOTHING IN THIS ORDER SHALL BE CONSTRUED AS PERMITTING PETITIONER TO OPERATE ANY VEHICLE REQUIRING A C.D.L. ENDORSEMENT. PETITIONER'S C.D.L. MAY NOT BE REINSTATED DURING THE PERIOD OF TIME HIS REGULAR LICENSE IS SUSPENDED BY THE INDIANA BUREAU OF MOTOR VEHICLES, THIS ORDER NOTWITHSTANDING AND AS PROHIBITED BY §202(D) OF THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS AND 49 U.S.C. §31311(A)(10).

Thank you.

:tgs

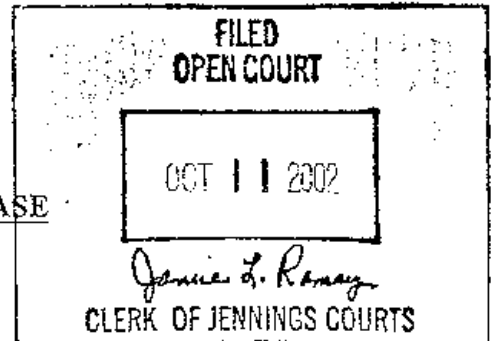
STATE OF INDIANA)
) SS:
COUNTY OF JENNINGS)

IN THE JENNINGS CIRCUIT COURT

CAUSE NO. 40C01-0210-JM-132

IN THE MATTER OF THE
RELEASE OF JUVENILE
RECORDS TO
BARTHOLOMEW AREA LEGAL, INC.

ORDER REGARDING RELEASE
OF JUVENILE RECORDS



Pursuant to INDIANA CODE §31-39-2-9, this Court authorizes the Clerk of Jennings County, or any of her Deputies, to release to any attorney representing Bartholomew Area Legal Aid, Inc. any information contained in a juvenile file in the Jennings Circuit Court, upon receipt by the Clerk, of an Authorization and Release of Information signed by one (1) of the parties to the juvenile matter, which Authorization must be signed in the presence of a Notary Public, and the original furnished to the Clerk along with a cover letter from Bartholomew Area Legal Aid, Inc. requesting said records be sent directly to Bartholomew Area Legal Aid, Inc.

The Clerk of Jennings County may charge any fees authorized by state law for copies or postage.

THIS ORDER DOES NOT AUTHORIZE RELEASE OF ADOPTION OR
MENTAL HEALTH RECORDS.

SO ORDERED THIS 11TH DAY OF OCTOBER, 2002.

A handwritten signature in cursive script, reading "Jon W. Webster".

JON W. WEBSTER, Judge
Jennings Circuit Court

cc:
Tammara Jo Sparks
Andrew Judd/Chasity Gerkin
Gary L. Smith

JENNINGS CIRCUIT COURT

86th Judicial Circuit
Post Office Box 386
Vernon, IN 47282-0386
Phone: (812) 346-3207

Honorable
Jon W. Webster
Judge

Linda D. Buchanan
Tiona G. Sullivan
Court Reporters

December 4, 1998

Howard D. Hendricks
Bailliff

Dear Friends:

I have recently met with Sheriff-Elect Taggart to discuss with him matters of importance between his office and mine, primarily service of process. I'm comfortable we'll have excellent service from Sheriff-Elect Taggart in this area. However, it is the Sheriff's duty to serve papers, not find people. Thus, please provide as much information as possible on the summons.

If you are serving someone at work, the Sheriff needs to know the shift they work. You can find this out as easily as he can.

Middle names or initials are very helpful, especially for people with common names. If someone is a Jr. or Sr. or II or III, please indicate so a son doesn't get served with papers belonging to his father, etc.

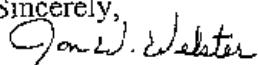
Rural routes are no longer acceptable. Provide a complete 9-1-1 address. For service within an apartment complex, provide an apartment number or letter. For service within a mobile home park, provide a lot or box number. If you are seeking service on short notice, you should hand carry your papers to the Sheriff and tell them so.

As always, a Writ Of Body Attachment will not be processed by this office or served without a social security number, date of birth, and race.

For those of you having a criminal hearing that requires transportation of a DOC prisoner back to Jennings County, it is your obligation to tender to me an Order To Transport so that I can sign it and have it to the Sheriff at least seven (7) days prior to the hearing. Trips to the extreme northern and southern part of the State require advance planning and staffing.

If you experience problems with service of process, please see Sheriff-Elect Taggart.

Thank you.

Sincerely,

Jon W. Webster, Judge
Jennings Circuit Court

JENNINGS CIRCUIT COURT

86th Judicial Circuit
Post Office Box 386
Vernon, IN 47282-0386
Phone: (812) 352-3082

Honorable
Jon W. Webster
Judge

Linda D. Buchanan
Tiona G. Sullivan
Court Reporters

Howard D. Hendricks
Bailliff

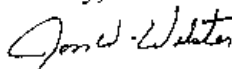
August 11, 2000

Dear Counsel:

In the past month, I have had two (2) court documents that changed custody submitted to me with signatures later claimed to be a forgery by the party who lost custody. In neither case did the attorney representing the other party do anything wrong. As a result, extra court time will now be required to undo the mess created by this situation.

Consequently, I will no longer accept a document signed by a pro se litigant unless the signature of the pro se litigant is notarized. This should substantially reduce the possibility of a forgery saving us all time and avoiding injustice to the aggrieved party.

Sincerely,



Jon W. Webster, Judge
Jennings Circuit Court

JWW:tgs

STATE OF INDIANA

IN THE JENNINGS CIRCUIT COURT

COUNTY OF JENNINGS, SS:

ORDER REGARDING ADOPTION CONSENTS
AND HOME STUDIES

I am aware the past practice of this Court has been to waive home studies in most adoptions. I am also sympathetic to the fact these home studies are not cheap.

Nonetheless, commencing March 1, 1997, all adoptions filed in this Court will require written approval of the Division of Family and Children (see I.C. 31-3-1-3) and a written home study (I.C. 31-3-1-4) before I will approve the adoption.

If waiver is sought, the Division of Family and Children will need to consent first, in writing.

Since this is a new practice, adoptions filed prior to March 1, 1997, will not be affected by this change.

SO ORDERED THIS 18TH DAY OF FEBRUARY, 1997.

Jon W. Webster

JON W. WEBSTER, Judge
Jennings Circuit Court

cc:

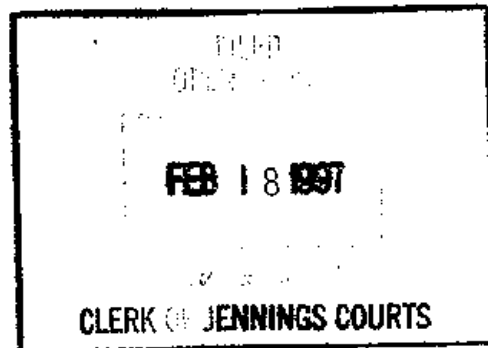
Michael L. Rogers

Jennings County Division of Family and Children

P. O. Box 905

North Vernon, IN 47265

All local attorneys



MEMORANDUM

TO: All Local Counsel

FROM: Judge Webster

DATE: September 12, 2001

SUBJECT: Parenting Time Guidelines

In the future, when tendering decrees, etc., to the Court which referring to the Parenting Time Guidelines, please do not attach a copy of the Parenting Time Guidelines. This leads to congestion of the Court's file and simply a waste of much needed postage in our office.

I would suggest that you merely state within the order that the parties may obtain a copy of the Parenting Time Guidelines from their respective counsel. For those parties who are not represented by counsel, you may implement a paragraph within the order that the Parenting Time Guidelines are available to the public at the clerk's office.

Thank you for your attention to this matter.

JENNINGS CIRCUIT COURT

86th Judicial Circuit
Post Office Box 386
Vernon, IN 47282-0386
Phone: (812) 352-3082

Honorable
Jon W. Webster
Judge

Linda D. Buchanan
Tiona G. Sullivan
Court Reporters

Howard D. Hendricks
Bailliff

April 17, 2002

Dear Counselors:

On April 15, 2002, the County Council asked all department heads and office holders to appear at their evening meeting. We were informed that expenses for Jennings County will exceed revenue this year by approximately 11% or \$576,793.00. We were told to figure out how to reduce our spending to help offset this deficit and to increase fees. Of course, I can't increase fees as they are set by state law.

Despite the fact this office had fewer additional appropriations in 2001/2002 than any other major county office (except for the Center Township Assessor, Surveyor, Veteran's Service Officer, Soil & Water and Prosecutor), we have been asked to spend less. I'm eliminating my very part-time clerical position to save \$3,000.00 per year. This means it may take Linda and Tiona a few extra days to process paperwork. If you have anything needing immediate attention, please bring it straight to our office. I'm also discontinuing our subscription to West's Indiana Digest 2d.

As you know, mid-summer, 1st class postage increases from 34¢ to 37¢. Commencing May 1, 2002, any documents filed with this Court which are required to be mailed shall be accompanied by pre-addressed envelopes with sufficient postage attached unless it is the original pleading commencing an action, in which case, the filing fee covers the initial postage.

I have already been asked about a few situations involving postage.

First, the Jennings County Division of Family & Children will be required to furnish postage paid envelopes.

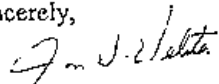
Second, criminal pauper cases requiring mailing of documents will be exempt from this new rule because I can't expect underpaid indigent pauper counsel to furnish postage too.

I realize this is an additional expense for counsel, but I also realize it will have to be passed on to your clients.

For May, 2002, we'll try to remind those of you who forget, about this change. Beginning June, 2002, if postage paid envelopes are not provided, we'll return everything to you.

I regret having to be the bearer of bad news, but I'm told we have to trim our budget.

Sincerely,



Jon W. Webster, Judge
Jennings Circuit Court

JWW:tgs

c: Ed Judd, Auditor, Jennings County
Howard Malcomb, President, County Council of Jennings County
Judges of all contiguous counties

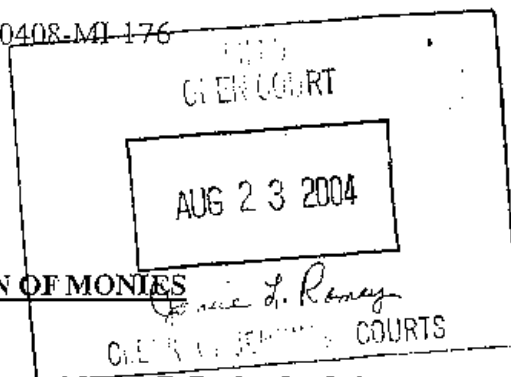
STATE OF INDIANA)
) SS:
COUNTY OF JENNINGS)

IN THE JENNINGS CIRCUIT COURT

CAUSE NO.: 40C01-0408-MJ-176

IN THE MATTER OF THE DISTRIBUTION
OF MONIES RECEIVED IN CRIMINAL CASE.

**AMENDED ORDER DIRECTING DISTRIBUTION OF MONIES
RECEIVED IN CRIMINAL CASES**



Comes now Jon W. Webster, Judge of the Jennings Circuit Court, and James F. Funke, Jr., Judge of the Jennings Superior Court, and having found that those convicted of misdemeanors and felonies in both courts, or having been found liable for an infraction and ordinance violation in Superior Court, often make payments on their monetary obligations and/or that cash bail is insufficient to pay all monies assessed, now finds that when partial payments are made, the Clerk of Jennings County shall receipt the monies in the following order, as directed by IND. CODE §33-19-5-1(c):

First, to general court costs required by IND. CODE §33-19-5-1 (a) and (b).

Second, to the Jennings County Alcohol and Drug Program, as required by IND. CODE §33-19-5-1(b)(3);

Third, to the administrative probation fee required by IND. CODES §35-38-2-1(d)5 and §35-38-2-1(e)(4) (\$100.00 for felonies/\$50.00 for misdemeanors).

Fourth, to initial probation user's fees required by IND. CODES §35-38-2-1(d)(1) and §35-28-2-1(e)(1), (\$100.00 for felonies/\$50.00 for misdemeanors) and to monthly probation user's fees.

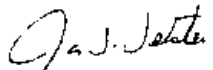
Fifth, to state fees (domestic violence, sexual assault, countermeasure, etc.).

Sixth, to fines.

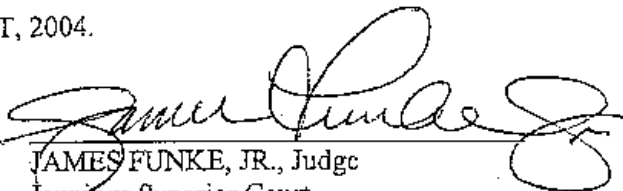
Seventh, to restitution.

If there is more than one (1) recipient of restitution, each payment going to restitution shall be pro-rated, according to the original amount due each victim.

SO ORDERED THIS 23RD DAY OF AUGUST, 2004.



JON W. WEBSTER, Judge
Jennings Circuit Court



JAMES FUNKE, JR., Judge
Jennings Superior Court

Copies to:

RJO

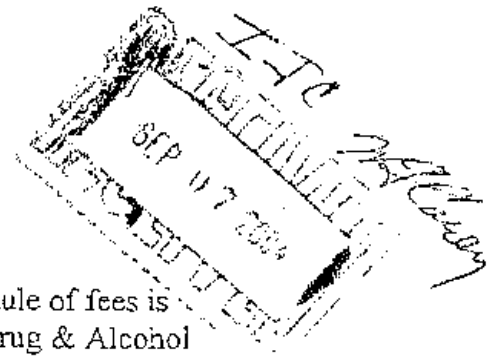
Prosecuting Attorney, via courthouse box

Janice L. Ramey, Clerk of Jennings County, via hand delivery

Judy Alcorn, via courthouse box

Probation, via courthouse box

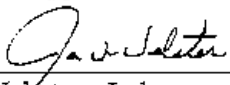
AMENDED JENNINGS CIRCUIT &
SUPERIOR COURTS
LOCAL RULE 15



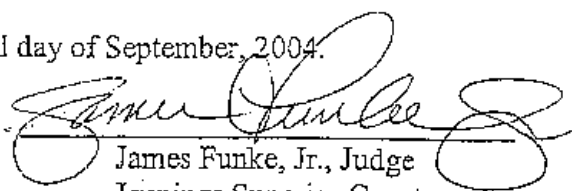
Pursuant to IND. CODE §12-23-14-16(b), the following schedule of fees is approved and adopted for the Jennings Circuit and Superior Courts Drug & Alcohol Abuse Program:

- | | |
|--|----------|
| • If convicted of any felony | \$400.00 |
| • If convicted of any misdemeanor, other than public intoxication, illegal consumption or illegal possession | \$300.00 |
| • If convicted of public intoxication, illegal consumption, or illegal possession alone | \$200.00 |
| • Richmond State Hospital enrollment processing fee | \$100.00 |
| • Transfer to another county | \$ 50.00 |
| • Monitoring and evaluation fee | \$100.00 |
| • Juvenile delinquency adjudications | \$200.00 |

Approved and Adopted this 2nd day of September, 2004.



Jon W. Webster, Judge
Jennings Circuit Court



James Funke, Jr., Judge
Jennings Superior Court

FILED

SEP 27 2002

Genie L. Roney
CLERK OF JENKINGS COURTS

IN THE

SUPREME COURT OF INDIANA



CASE NUMBER: 94500-0201-M5-61

ORDER AMENDING RULES OF TRIAL PROCEDURE

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, *Rule 53.3* of the *Indiana Rules of Trial Procedure* is amended to read as follow (deletions shown by ~~striking~~ and new text shown by underlining):

Rule 53.3. Motion to correct error: time limitation for ruling.

(A) Time limitation for ruling on motion to correct error. In the event a court fails for forty-five (45) days to set a Motion to Correct Error for hearing, or fails to rule on a Motion to Correct Error within thirty (30) days after it was heard or forty-five (45) days after it was filed, if no hearing is required, the pending Motion to Correct Error shall be deemed denied. Any appeal shall be initiated by filing the notice of appeal under Appellate Rule 2(A) 9(A) within thirty (30) days after the Motion to Correct Error is deemed denied.

...

This amendment shall take effect immediately.

The Clerk of this Court is directed to forward a copy of this order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and

Lawyers Assistance Program; the libraries of all law schools in this state; the Michie Company; and the West Group.

The West Group is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public

DONE at Indianapolis, Indiana, this 25th day of September, 2002.

Randall T. Shepard
Randall T. Shepard
Chief Justice of Indiana

FILED

SEP 27 2002

Janice L. Kinney
CLERK OF JENNINGS COURTS

IN THE

SUPREME COURT OF INDIANA



CASE NUMBER: 94500-0201-MS-61

**ORDER AMENDING RULES FOR ALTERNATIVE DISPUTE
RESOLUTION**

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administrative procedures of all courts within this state, *Rule 2.5* of the *Rules for Alternative Dispute Resolution* is amended to read as follows (deletions shown by striking and new text shown by underlining):

Rule 2.5. Qualifications of Mediators.

(A) Civil Cases: Educational Qualifications

(1) Subject to approval by the court in which the case is pending, the parties may agree upon any person to serve as a mediator.

(2) In civil cases, a registered mediator must be an attorney in good standing with the Supreme Court of Indiana.

(3) To register as a civil mediator, a person must meet all the requirements of this rule and must complete at least forty (40) hours of Commission certified civil mediation training.

(4) However, a person who has met the requirements of A.D.R. Rule 2.5(B)(2)(a), is registered as a domestic relations mediator, and by December 31 of the second full year after meeting those requirements completes a Commission certified civil crossover mediation training program may register as a civil mediator.

(5) A registered civil mediator must complete a minimum of six hours of Commission certified advanced civil mediation training during the two-year period prior to the mediator's Anniversary Date. For purposes of this section, "Anniversary Date" is the fifth June 30th following the completion of the initial 40-hours of civil mediation

training, or the completion of a civil crossover course, and every fifth June 30th thereafter. Mediators who have completed the initial 40 hours of civil mediation training prior to June 30, 1992 and who have not taken a Commission certified five hour advanced civil mediation training will not be required to complete the minimum of six hours of Commission certified advanced civil mediation training until June 30, 1997. Mediators who have completed the initial 40 hours of civil mediation training and who have taken a Commission certified five hour advanced training and who otherwise meet all the requirements to be a registered mediator may be placed on the registry. These mediators need not take an additional advanced training course until the two- year period prior to their next anniversary date after June 30, 1997.

~~(6) A full-time judge may register but not serve as a civil mediator.~~ As part of the judge's judicial service, a judge may serve as a mediator in a case pending before another judicial officer.

This amendment shall take effect immediately.

The Clerk of this Court is directed to forward a copy of this Order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers Assistance Program; the libraries of all law schools in this state; the Michie Company; and the West Group.

The West Group is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public

DONE at Indianapolis, Indiana, this 25th day of September, 2002.

Randall T. Shepard

Randall T. Shepard
Chief Justice of Indiana

**JENNINGS CIRCUIT AND
SUPERIOR COURTS
BOND SCHEDULE
(REVISED 2-1-04)**

Comes now the Jennings Circuit and Superior Courts, acting under the authority of INDIANA CODE 35-33-8-4, and sets the following bail bond schedule for pre-trial release of persons incarcerated for criminal offenses filed or to be filed in the Jennings Circuit Court and Jennings Superior Court.

The standard minimum bail in criminal cases filed in either Court shall be as follows:

Offense:

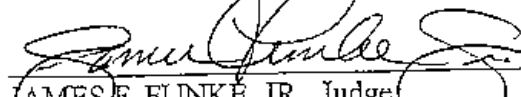
Murder	Bail to be set by the Court
Class A felony	Bail to be set by the Court
Class B felony (except as noted below)	\$75,500.00
Class C felony (except as noted below)	\$50,500.00
Class D felony (except as noted below)	\$15,500.00
Dealing in Methamphetamine as a Class B felony (IND. CODE §35-48-4-1(a))	\$100,000.00
Possession of Methamphetamine as a Class D felony (IND. CODE §35-48-4-6(a))	\$31,000.00 and
as a Class B felony or C felony	\$100,000.00
All Misdemeanors (except as noted below)	\$ 5,500.00
Possession of Marijuana or Hashish as a Class A Misdemeanor, Operating a Motor Vehicle While Intoxicated as a Class A Misdemeanor or Operating a Motor Vehicle .08% or greater, a Class C Misdemeanor, Operating a Motor Vehicle .15% or greater, a Class A Misdemeanor and Battery, a Class A Misdemeanor	\$ 8,500.00
Theft (INDIANA CODE §35-43-4-2) or Conversion (INDIANA CODE §35-43-4-3) when the property involved has an aggregate fair market value or retail value of \$100.00 or less	\$ 1,500.00

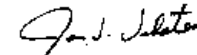
1.) This bail bond schedule shall apply to all persons charged with crimes in Jennings County, unless otherwise endorsed upon a warrant or otherwise ordered by the Judge of the respective Court. All bail fixed

pursuant to this standard schedule shall be reviewable upon written motion of either the State of Indiana or the Defendant.

- 2.) The bail bond amounts listed above refer to ten (10%) percent cash or surety bonds for a B or C Felony or higher. Ten (10%) percent cash only shall be the only permissible bail for D Felonies and Misdemeanors.
- 3.) All cash bail shall become a personal asset of the Defendant and shall be held in trust by the Court Clerk to be applied towards payment of the Defendant's fines, court costs, restitution, attorney fees, judgments and/or other fees which may be assessed by the Court during the course of the proceedings.
- 4.) If the Defendant is presently out on bail or bond, including release on their own recognizance, on a pending criminal case or on probation or parole, the bail amount to be posted on the new charge shall be double the amount stated in the above bond schedule.
- 5.) If the Defendant is arrested for more than one (1) charge, bail shall be for the highest charged offense.
- 6.) This order does not apply to any juvenile detainees or offenders.
- 7.) The Sheriff or his designee, shall have the express authority to detain a person under the influence of intoxicating beverages or drugs until such time as he/she may be safely released without being a danger to himself/herself or others, regardless of when bail is posted.
- 8.) Any person who, in the opinion of a law enforcement officer, is not a citizen of the United States of America, who commits a misdemeanor or a Class D Felony in Jennings County shall be held on a \$25,500.00 bail. Other felonies shall be twice the bond schedule for those who are not a United States citizen.
- 9.) This standard bond schedule supersedes any general schedules relating to bail or bonds previously issued by either Court.
- 10.) This order shall become effective beginning February 1, 2004, and shall remain in full force and effect until modified or amended by subsequent Court Order.

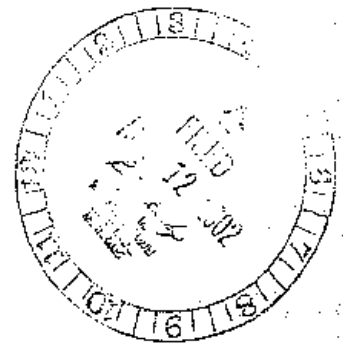
ALL OF WHICH IS APPROVED AND ORDERED THIS 1st day of FEBRUARY, 2004.


JAMES F. FUNKE, JR., Judge
Jennings Superior Court


JON W. WEBSTER, Judge
Jennings Circuit Court

cc:
Jennings County Sheriff
North Vernon City Police Department
All local attorneys

LOCAL RULE 16-OUT OF STATE TRAVEL
BY PROBATIONERS



WHEREAS, the Courts of Jennings County are continually asked by probationers and/or their counsel for permission to temporarily leave the State of Indiana for various reasons, including, but not limited to employment, vacations, funerals and medical emergencies, and whereas these Courts must weigh the risk of flight, possible criminal conduct by probationers while outside Indiana, and the risk associated therewith, and the constitutional right to travel and move freely from place to place, the Judges of the Jennings Circuit Court and Jennings Superior Court have determined a local rule of court should be implemented to guide probationers and their counsel with regard to this issue.¹

Section 1. No person on probation through the Probation Department of either the Jennings Circuit Court or the Jennings Superior Court, whether placed on probation by a Jennings County Court or having had their probation transferred to Jennings County from another jurisdiction, shall have the right or privilege to leave the State of Indiana without first receiving a prior written order from the sentencing court authorizing out-of-state travel. If the sentencing court is not a Jennings County Court, the petition shall be filed in the Jennings Circuit Court.

Section 2. In no event shall a person on probation after being convicted of any ~~offense listed in INDIANA CODE §35-50-1-2(a) (violent crimes)~~ or any offense found at INDIANA CODE §35-42-4 (sex crimes) be permitted to leave the State of Indiana for any reason.

Section 3. If not otherwise ineligible under Section 2 above, a probationer seeking an order from the Court to leave the State of Indiana must file a verified petition signed by the probationer, under penalties of perjury, with the court at least three (3) business days before the anticipated departure date setting forth the destination, including the physical and mailing address and telephone number of the destination, length of stay,

¹ This Rule only applies to temporary absences from the State and not permanent moves. Permanent moves are for a period longer than ninety (90) days in any calendar year, whether consecutive or not. Permanent moves will require a transfer of probation, if approved by the supervising Probation Officer in Jennings County and accepted by the receiving venue.

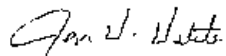
purpose of travel, and mode of travel.² If the request is employment related, the name, address and telephone number of the employer must be provided, along with the name of the probationer's immediate supervisor.

Section 4. The verified petition must be filed with the Clerk of the Jennings County Courts, and delivered by the probationer or counsel directly to the supervising Judge for review along with a proposed Order. At the time of filing, a copy shall be personally served upon the Prosecuting Attorney of Jennings County and the respective probation department by delivery to their offices. Fax filings are not permitted under this Rule. Certificates of service must be included on the Petition.

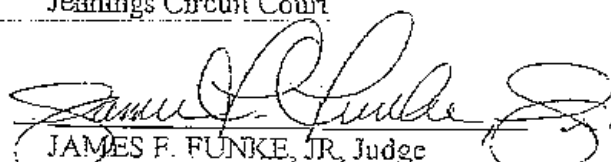
Section 5. Failure to comply with this Local Rule or disobedience of an Order entered herein, may result in a filing of a violation of probation or restriction on future travel.

Section 6. The decision to permit, restrict or refuse travel under this Rule is discretionary with the Court and creates no additional rights in any probationer. The Court may set the matter for hearing or rule summarily.

APPROVED AND SO ORDERED THIS 11th DAY OF APRIL, 2002.



JON W. WEBSTER, Judge
Jennings Circuit Court


JAMES F. FUNKE, JR., Judge
Jennings Superior Court

² The Court, may in its discretion, consider petitions filed less than three (3) days before the departure date if a funeral or medical emergency is the reason for leaving Indiana.

FILED

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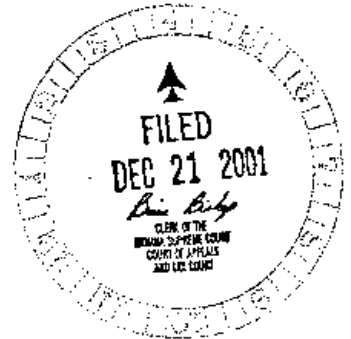
James L. Roney
CLERK OF THE
INDIANA SUPREME COURT

94500-0101-MS-67

IN THE

SUPREME COURT OF INDIANA

ORDER ADOPTING INDIANA JURY RULES



Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, *Indiana Jury Rules* are adopted to read as follows:

INDIANA JURY RULES

RULE 1 SCOPE

These rules shall govern jury assembly, selection, and management in all courts of the state of Indiana.

RULE 2 JURY POOL

The judges of the trial courts shall administer the jury assembly process. The judges may appoint clerical personnel to aid in the administration of the jury system. Any person appointed to administer the jury assembly process is a jury administrator. The jury administrator shall compile the jury pool annually by selecting names from all the voter registration lists for the county, supplemented with names from other lists of persons resident in the county, including lists of utility customers, property taxpayers, persons filing income tax returns, motor vehicle registrations, city directories, telephone directories, and driver's licenses. Supplemental lists may not be substituted for the voter registration list. In drawing names from supplemental lists, the jury commissioner shall avoid duplication of names.

RULE 3 RANDOM DRAW

The jury administrator shall randomly draw names from the jury pool as needed to establish jury panels for jury selection. Prospective jurors shall not be drawn from bystanders or any source except the jury pool.

RULE 4 SUMMONS FOR JURY SERVICE

Not later than seven days after the date of the drawing of names from the master list, the jury administrator shall mail to each person whose name is drawn a juror qualification form, and

notice of the period during which any service may be performed. A judge may order prospective jurors to appear upon less notice when, in the course of jury selection, it becomes apparent that additional prospective jurors are required in order to complete jury selection. The jury administrator shall summon prospective jurors at least two (2) weeks before service. The summons shall include the following information: directions to court, parking, public transportation, compensation, attire, meals, and how to obtain auxiliary aids and services required by the Americans with Disabilities Act. The judge may direct the jury administrator to include a questionnaire to be completed by each prospective juror.

RULE 5 DISQUALIFICATION

The court shall determine if the prospective jurors are qualified to serve, or, if disabled but otherwise qualified, could serve with reasonable accommodation. In order to serve as a juror, a person shall state under oath or affirmation that he or she is:

- (a) a citizen of the United States;
- (b) at least eighteen (18) years of age;
- (c) a resident of the summoning county;
- (d) able to read, speak, and understand, the English language;
- (e) not suffering from a physical or mental disability that prevents him or her from rendering satisfactory jury service;
- (f) not under a guardianship appointment because of mental incapacity;
- (g) not a person who has had rights to vote revoked by reason of a felony conviction and whose rights to vote have not been restored; and
- (h) not a law enforcement officer, if the trial is for a criminal case.

Persons who are not eligible for jury service shall not serve.

RULE 6 EXEMPTION

A person who has completed a term of jury service in the year preceding the date of the person's summons may claim exemption from jury service. Only those exemptions expressly provided by statute are permitted.

RULE 7 DEFERRAL

The judge may approve a deferral of jury service for up to one (1) year upon a showing of undue hardship, extreme inconvenience, or public necessity.

RULE 8 DOCUMENTATION

The facts supporting juror disqualifications, exemptions, and deferrals shall be recorded under oath or affirmation. No disqualification, exemption, or deferral shall be granted unless the facts support it. These records shall be kept for a minimum of two (2) years.

RULE 9 TERM OF JURY SERVICE

(a) A person who appears for service as a petit or grand juror serves until the conclusion of the first trial in which the juror is sworn, regardless of the length of the trial or the manner in which the trial is disposed. A person who appears for service but is not selected and sworn as a juror completes the person's service at the end of one (1) day.

(b) A person who:

- (1) serves as a juror under this chapter; or
- (2) completes one (1) day of jury selection but is not chosen to serve as a juror;

may not be selected for another jury panel until all nonexempt persons in the jury pool for that year have been called for jury duty.

RULE 10 JUROR SAFETY AND PRIVACY

Personal information relating to a juror or prospective juror not disclosed in open court is confidential, other than for the use of the parties and counsel. The court shall maintain that confidentiality to an extent consistent with the constitutional and statutory rights of the parties.

RULE 11 JURY ORIENTATION

Trial courts shall provide prospective jurors with orientation prior to the selection process so they may understand their role in our legal system. Jury orientation shall include a standard presentation recommended by the Indiana Judicial Conference.

RULE 12 RECORD SHALL BE MADE

Unless otherwise agreed by the parties, jury selection shall be recorded including all sidebar conferences.

RULE 13 JURY PANEL: OATH OR AFFIRMATION BY PROSPECTIVE JURORS

The jury panel consists of those prospective jurors who answered their summons by reporting for jury service. The judge shall administer the following to the prospective jurors of the jury panel: "Do you swear or affirm that you will honestly answer any question asked of you during jury selection?"

RULE 14 INTRODUCTION TO CASE

(a) After welcoming the jury panel, the judge shall introduce the panel to the case. The judge's introduction to the case shall include at least the following:

- (1) Introduction of the participants;
- (2) The nature of the case;

- (3) The applicable standard of proof;
- (4) The applicable burden(s) of proof;
- (5) The presumption of innocence in a criminal case;
- (6) The appropriate means by which jurors may address their private concerns to the judge;
- (7) The appropriate standard of juror conduct;
- (8) The anticipated course of proceedings during trial; and
- (9) The rules regarding challenges.

(b) To facilitate the jury panel's understanding of the case, with the court's consent the parties may present brief statements of the facts and issues (mini opening statements) to be determined by the jury.

RULE 15 EXAMINATION OF THE JURY PANEL

Examination of jurors shall be governed by Trial Rule 47(D).

RULE 16 NUMBER OF JURORS

(a) In all criminal cases, if the defendant is charged with: murder, a Class A, B, or C felony, including any enhancement(s), the jury shall consist of twelve (12) persons, unless the parties and the court agree to a lesser number of jurors. If the defendant is charged with any other crime, the jury shall consist of six (6) persons. The court shall determine the number of alternate jurors to be seated. The verdict shall be unanimous.

(b) In all civil cases, the jury shall consist of six (6) persons, unless the parties agree to a lesser number of jurors before the jury is selected. The verdict shall be unanimous, unless the parties stipulate before the verdict is announced that a verdict or finding of a stated majority of the jurors shall be taken as the verdict or finding of the jury. The number of alternate jurors shall be governed by Trial Rule 47(B).

RULE 17 CHALLENGE FOR CAUSE

(a) In both civil and criminal cases the parties shall make all challenges for cause before the jury is sworn to try the case, or upon a showing of good cause for the delay, before the jury retires to deliberate. The court shall sustain a challenge for cause if the prospective juror:

- (1) is disqualified under rule 5;
- (2) served as a juror in that same county within the previous three hundred sixty-five (365) days in a case that resulted in a verdict;
- (3) will be unable to comprehend the evidence and the instructions of the court due to any reason including defective sight or hearing, or inadequate English language communication skills;
- (4) has formed or expressed an opinion about the outcome of the case, and is unable to set that opinion aside and render an impartial verdict based upon the law and the evidence;
- (5) was a member of a jury that previously considered the same dispute involving one or more of the same parties;

(6) is related within the fifth degree to the parties, their attorneys, or any witness subpoenaed in the case;

(7) has a personal interest in the result of the trial;

(8) is biased or prejudiced for or against a party to the case; or

(9) is a person who has been subpoenaed in good faith as a witness in the case.

(b) In criminal cases the court shall sustain a challenge for cause if the prospective juror:

(1) was a member of the grand jury that issued the indictment;

(2) is a defendant in a pending criminal case;

(3) in a case in which the death penalty is sought, is not qualified to serve in a death penalty case under law; or

(4) has formed or expressed an opinion about the outcome of the case which appears to be founded upon

a. a conversation with a witness to the transaction;

b. reading or hearing witness testimony or a report of witness testimony.

(c) In civil cases the court shall sustain a challenge for cause if the prospective juror is interested in another suit, begun or contemplated, involving the same or a similar matter.

RULE 18 NUMBER OF PEREMPTORY CHALLENGES

(a) In criminal cases the defendant and prosecution each may challenge peremptorily:

(1) twenty (20) jurors in prosecutions where the death penalty or life without parole is sought;

(2) ten (10) jurors when neither the death penalty nor life without parole is sought in prosecutions for murder, and Class A, B, or C felonies, including enhancements; and

(3) five (5) jurors in prosecutions for all other crimes.

When several defendants are tried together, they must join their challenges.

(b) In civil cases each side may challenge peremptorily three (3) jurors.

(c) In selection of alternate jurors in both civil and criminal cases:

(1) one (1) peremptory challenge shall be allowed to each side in both criminal and civil cases for every two (2) alternate jurors to be seated;

(2) the additional peremptory challenges under this subsection may be used only in selecting alternate jurors; and

(3) peremptory challenges authorized for selection of jurors may not be used in selecting alternate jurors.

RULE 19 OATH OR AFFIRMATION OF THE JURY

After the jury has been selected, but before commencement of the trial, the judge shall administer the following to the jury, including alternate jurors:

"Do each of you swear or affirm that you will well and truly try the matter in issue between the parties, and give a true verdict?"

RULE 20 PRELIMINARY INSTRUCTIONS

(a) The court shall instruct the jury before opening statements by reading the appropriate instructions which shall include at least the following:

- (1) the issues for trial;
- (2) the applicable burdens of proof;
- (3) the credibility of witnesses and the manner of weighing the testimony to be received;
- (4) that each juror may take notes during the trial and paper shall be provided, but note taking shall not interfere with the attention to the testimony;
- (5) the personal knowledge procedure under Rule 24;
- (6) the order in which the case will proceed;
- (7) that jurors may seek to ask questions of the witnesses by submission of questions in writing.

(b) It is assumed that the court will cover other matters in the preliminary instructions.

(c) The court shall provide each juror with the written instructions while the court reads them.

RULE 21 OPENING STATEMENT

(a) In criminal cases, the prosecution shall state briefly the evidence that supports its case. The defense may then state briefly the evidence in support of the defense, but has the right to decline to make an opening statement.

(b) In civil cases, the party with the burden of going forward may briefly state the evidence that supports its case. The adverse party may then briefly state the evidence in support of its case.

RULE 22 PRESENTATION OF EVIDENCE

Unless the court otherwise directs, the party with the burden of going forward shall produce evidence first, followed by presentation of evidence by the adverse party.

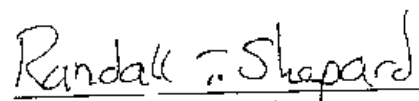
The parties may then respectively offer rebuttal evidence only, unless the court, for good cause shown, permits them to offer evidence upon their original case.

The Clerk of this Court is directed to forward a copy of this order to the Clerk of each Circuit Court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; the libraries of all law schools in this state; the Michie Company; and the West Group.

The West Group is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public.

DONE at Indianapolis, Indiana, this 21st day of December, 2001.


Randall T. Shepard
Chief Justice of Indiana

Shepard, C.J., and Dickson and Boehm, JJ., concur.

Sullivan and Rucker, JJ., concur except as to the inclusion of Rule 28 from which they dissent.

TO: ALL ATTORNEYS PRACTICING IN THE JENNINGS CIRCUIT
COURT AND JENNINGS SUPERIOR COURT

FROM: JUDGE JON W. WEBSTER AND JUDGE JAMES FUNKE, JR.

DATE: MAY 18, 1999

Within the past eighteen (18) to twenty-four (24) months, there has been an increase in the number of cases requiring more than two (2) hours to hear. The Courts are unsure of the reason, but a primary factor appears to be an unwillingness by some (not all) attorneys to communicate with one another regarding settlement of all or any part of their case and just walk in on the day of the hearing without ever having spoken to opposing counsel.

Consequently, large blocks of time are being consumed by a few cases.

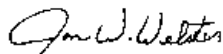
The other reoccurring problems are attorneys who fail to inform the Court of the time needed for a hearing or grossly underestimate the time needed or run in two or three petitions or motions when only one (1) is set and expect the Court to hear everything, or show up for a 9:00 a.m. hearing at 9:00 a.m., begin negotiations and still expect to receive their allotted hearing time.

The Courts are aware some cases do run over, but a thirty (30) minute hearing that ends up taking two (2) hours creates all kinds of problems in rescheduling and delay for others waiting for their hearing.

Consequently, the Court intends to begin strict enforcement of Local Rule 4, which is attached. This means attorneys will have to communicate to more accurately estimate the time needed for the case. No longer will the Court permit two (2) hour hearings to last four (4) hours or stop a requested two (2) hour hearing at the end of two (2) hours and be expected to "quickly" reschedule the remainder of the hearing.

Hereinafter, Motions or Petitions sent to the Court without a time estimate will be returned unprocessed and attorneys will be permitted only the time requested. If a hearing is scheduled at 9:00 a.m., the hearing will commence at 9:00 a.m. If settlement discussion is needed, counsel and their clients should arrive early to negotiate and not negotiate on the Court's time.

Thank you.



JON W. WEBSTER, Judge
Jennings Circuit Court



JAMES FUNKE, JR., Judge
Jennings Superior Court

LOCAL RULE 4 - PREPARATION OF COURT FORMS

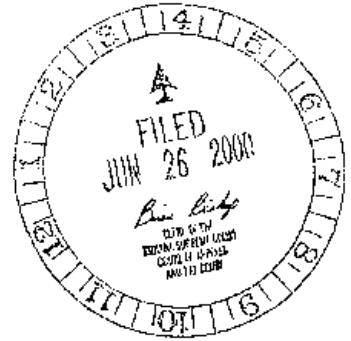
A. A party requesting a hearing or continuance shall be responsible for preparing a chronological case summary entry which schedules or reschedules, as appropriate, a matter for hearing. Such entries shall be submitted with the Motion For Hearing or Continuance and shall be in lieu of any order scheduling or re-scheduling such matters together with sufficient copies and pre-addressed Clerk's envelopes to provide copies to all parties and/or counsel of record. A party requesting a hearing or continuance shall provide the Court with an estimate of the time anticipated to conduct the hearing.

B. A party filing any other type of motion shall, at the time of filing, submit a proposed order with sufficient copies and pre-addressed Clerk's envelopes to serve all parties and/or counsel of record.

C. A party agreeing or directed by the Court to prepare an order, judgment or decree shall do so in accordance with the directives of the Court and TRIAL RULE 58(B).

D. In addition to pre-addressed Clerk's envelopes, all chronological case summary entries and orders shall have, in the lower left-hand corner, a distribution list with the name and mailing address of each party or attorney to receive a copy of the same.

IN THE
SUPREME COURT OF INDIANA



IN THE MATTER OF)
)
THE DEVELOPMENT OF) Case No. 94S00-9911-MS-639
)
DISTRICT PLANS)

ORDER APPROVING AMENDED DISTRICT 11
CASELOAD REDISTRIBUTION PLAN

On July 16, 1999, this Court entered an Order for Development of *Local Caseload Plans*. Pursuant to such Order, Judicial District 11 submitted and, on October 29, 1999, this Court approved a caseload plan for such district which plan also incorporated a plan for using the judges of Rush Circuit and Rush County courts.

The judges of District 11 have now tendered an amendment to such District plan which clarifies the original plan. This Court finds that the amended Caseload Redistribution Plan for District 11 should be approved.

IT IS, THEREFORE, ORDERED that the Amended District 11 Caseload Redistribution Plan, attached hereto as "Exhibit A", is approved. The Clerk of this Court is directed to forward copies of this Order to the Clerk of the Bartholomew, Brown, Decatur, Jackson, Jennings, and Rush Counties and to the Honorable Stephen R. Heimann, Bartholomew Circuit Court; to the Honorable Chris D. Monroe, Bartholomew Superior Court No. 1; to the Honorable Kathleen Coriden, Bartholomew Superior Court No. 2; to the Honorable Judith Stewart, Brown Circuit Court; to the Honorable John A. Westhafer, Decatur Circuit Court; to the Honorable W. Michael Wilke, Decatur Superior

Court; to the Honorable William Vance, Jackson Circuit Court; to the Honorable Frank W. Guthrie, Jackson Superior Court; to the Honorable Jonathan W. Webster, Jennings Circuit Court; to the Honorable James Funke, Jr., Jennings Superior Court; to the Honorable Barbara A. Harcourt, Rush Circuit Court; and to the Honorable David E. Northam, Rush County Court.

IT IS FURTHER ORDERED that the Clerks of the Circuit Courts of the above mentioned counties are directed to enter this Order in the Record of Judgments and Orders of each trial court in the county affected by this order.

DONE at Indianapolis, Indiana, this 26th day of June, 2000.

FOR THE COURT

Randall T. Shepard
Randall T. Shepard
Chief Justice of Indiana

"EXHIBIT A"

AMENDED INDIANA JUDICIAL DISTRICT # 11
CASELOAD REDISTRIBUTION PLAN
(Bartholomew, Brown, Decatur, Jennings, and Jackson Counties)

The Judges of the District having met; we, the undersigned judges of Jennings County, hereby adopt this District Caseload Redistribution Plan for Allocation of Judicial Resources.

1 Recognition of factors in addition to weighted caseload study that cause disparity in workload.

The Weighted Caseload Study is an instrument for measuring relative workload of Indiana trial courts. There are certain additional factors that the trial judges in our District have considered in devising our District Plan.

(A) Courts that have traditionally handled higher volumes of domestic relation cases will have more work from re-docketed cases than will a court that recently began handling domestic relation cases. Courts that recently began handling domestic relation cases will not have as many modification and citation cases filed.

(B) There is a disparity between judges in the number of special judge cases that they are required to handle. Likewise, there is a variance between courts as to the number of cases for which there is a change of venue from the judge or from which the judge must recuse himself or herself.

(C) Some attorneys advocate in a more adversarial manner than do others. These practitioners gravitate to certain courts, which results in a lower settlement rate. The judges in these courts will expend a greater amount of time per case than will other courts with similar types of cases. This is especially true in domestic relation cases.

(D) The administrative duties differ from court to court. A judge in a small community is expected to attend more community meetings than do judges in larger metropolitan communities. A judge with juvenile jurisdiction has to expend more administrative time, especially if they are responsible for a detention center.

2 Rules

(A) Because of the caseloads of Bartholomew Circuit Court and Jackson Circuit Court, the judges from those two Courts will not be required to serve as special judge in any cases. They will not be placed on any panels by other judges in the District. If they are selected by agreement, they will decline appointment.

(B) Because of the caseload in Jackson Circuit Court, the Magistrate from Brown Circuit Court will be assigned to sit as "concurrent judge" (in the nature of a judge pro tem or magistrate) of the Jackson Circuit Court one-half day biweekly. Because of the caseload in the Bartholomew Circuit Court, the Circuit Judge from Rush County will be assigned to sit as a concurrent judge of the Bartholomew Circuit Court one-half day biweekly. The concurrent judge shall be authorized to serve at the same time as the regular sitting Circuit Court Judge in separate courtrooms within the Courthouse. The concurrent judge shall hear such matters as domestic relation citations and modifications, reciprocal support actions, criminal initial hearings, criminal bond reduction hearings, criminal change of plea hearings, adoptions, pretrial conferences, and other routine matters. This list is representative

of the types of cases which the special judge will hear, but is not intended to be an exclusive list. The concurrent judge shall not be considered as a judge pro tem (since the regular judge will still be available and acting as judge on other cases in another courtroom). The concurrent judge will sit on a periodic basis for a class of cases as assigned by the regular judge.

(C) Because of the caseload in Bartholomew Circuit Court, the County Court Judge from Rush County will be assigned legal research to assist the judge of the Bartholomew Circuit Court. Said assignments shall be on a case by case basis as is agreed to between the Courts.

(D) To assist all Courts within the District, all civil cases that will require more than two hours of trial time will be referred to mediation, unless written waiver is granted by the Court. Whenever a trial is requested within the District (except for small claims), the party requesting the trial must state in the Motion For Trial Setting the expected length of the trial. In the event that the parties request a trial setting of two hours or less and the hearing has not concluded within the time allotted, then the Court shall have the discretion to recess the trial and refer the matter to mediation at that time.

(E) To assist all Courts within the District, in all contested family law cases (including paternity, guardianship, and dissolution cases except for provisional hearings); counsel for the parties are ordered to exchange names and addresses of all witnesses as well as actual copies of all exhibits at least 7 days prior to trial. They are further ordered to file a list of the witnesses and exhibits with the Court at least 7 days prior to trial. In contested dissolution cases, counsel for the parties are further ordered to file with the Court a marital balance sheet, including date-of-filing values, as well as a proposed property and debt division at least 7 days prior to trial. Failure to comply will result in the Court removing the case from the trial calendar and shall subject the non-complying party to sanctions. Failure to include a witness or exhibit on the submitted list shall preclude the witness from testifying or the exhibit from being introduced.

(F) In those Courts which utilize Senior Judges, the Senior Judge may serve concurrently with the regular sitting judge.

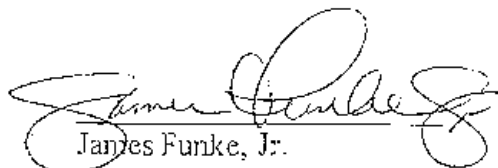
(G) The Bartholomew County Circuit Judge in conjunction with the Jackson County Circuit Court Judge shall seek from the Indiana State Legislature a bill creating a position of Magistrate that would serve both Courts.

(H) The judges from District #11 shall meet during the month of September, 2000 to review this rule and determine if any adjustments are needed.

The foregoing District Rule having been formally adopted by the Courts in District #11, the same is hereby promulgated and made effective as of the 1st day of March, 2000.

 3-8-00

Jon W. Webster
Jennings County
Circuit Court



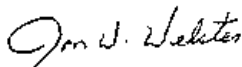
James Funke, Jr.
Jennings County
Superior Court

FUNERAL LEAVE POLICY
(For Inmates of the Jennings County Jail)

Any individual incarcerated in the Jennings County Jail may be granted funeral leave, but only if the deceased person is the child, parent, sibling, or grandparent of the incarcerated individual and then only upon written verified motion and accompanying order (see form attached) filed with the applicable court indicating the day, time, and place of the viewing and funeral. Funeral leave remains at the discretion of the trial court judge.

If the incarcerated individual is in jail after a conviction for or while charged with a crime of violence (as defined by IND. CODE §35-50-1-2[a]), no leave shall be permitted.

Approved this 26th day of June, 2001.



JON W. WEBSTER, Judge
Jennings Circuit Court



JAMES FUNKE, JR., Judge
Jennings Superior Court



EARL L. TAGGART, Sheriff
Jennings County, Indiana

STATE OF INDIANA)
) SS:
COUNTY OF JENNINGS) CAUSE NO. 40C01/40D01-_____

_____,
Plaintiff(s)/Petitioner(s),

vs./and

_____,
Defendant(s)/Respondent(s).

ORDER RELEASING INMATE TO ATTEND FUNERAL

On _____, 200____, this Court having received and reviewed the
Defendant's/Respondent's Verified Motion ____ (motion title) _____
requesting the Defendant/Respondent, ____ (name) _____, to be released from
the Jennings County Jail on _____, 200____, at _____ a.m./p.m. to attend the
viewing/calling scheduled for ____ (start) ____ a.m./p.m. to ____ (end) _____ a.m./p.m. and the
funeral on _____, 200____, at _____ a.m./p.m. at _____ (name of funeral
home) _____ Funeral Home located in ____ (city) _____, Indiana. The
funeral is for Defendant's/Respondent's ____ (relationship) _____.

The Court now grants the request for release and leave.

Defendant/Respondent, ____ (name) _____, shall be released at _____
a.m./p.m. on _____, 200____, to attend the viewing/calling scheduled for
_____ a.m./p.m. to _____ a.m./p.m. and the funeral on _____,
200____, at _____ a.m./p.m. at _____ (name of funeral home) _____ Funeral
Home located in ____ (city) _____, Indiana. Defendant/Respondent, ____ (name) _____,
shall not leave the State of Indiana and he/she shall return to the Jail on or before
_____ a.m./p.m. on _____, 200____.

THE DEFENDANT/RESPONDENT IS NOTIFIED THAT FAILURE TO
RETURN TO THE JENNINGS COUNTY JAIL AS HEREIN ORDERED IS
ESCAPE, A CLASS D FELONY UNDER INDIANA CODE 35-44-3-5(b).

ALL OF WHICH IS ORDERED THIS ____ DAY OF _____, 200__.

JON W. WEBSTER, Judge/JAMES FUNKE, JR., Judge
Jennings Circuit/Superior Court

copies to:

RJO

(list parties)
Jennings County Sheriff's Department

MEMORANDUM

TO: All Practicing Attorneys in Jennings County, Indiana

FROM: Judge Jon W. Webster

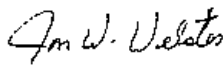
DATE: November 17, 2000

SUBJECT: Child Support and/or Custody Orders

Attached hereto, you will please find a photocopy of a Memorandum to all Clerks, All Prosecuting Attorneys, and All IV-D Prosecutors dated November 1, 2000, which I received November 15, 2000.

Effective immediately, it will be necessary for the **Clerk, Child Support Division**, to be added on the distribution regarding any and all Orders and/or Decrees dealing with child support and/or modifications of child support. Thus, please also tender an additional photocopy to the Court for distribution to the Clerk, Child Support Division.

If you have any questions, please feel free to contact Cathy at the Clerk's office, Linda, or Tiona. As always, thank you for your cooperation.


Jon W. Webster, Judge

Attachment (1)

c: Clerk, Child Support Division



"People
helping people
help
themselves"

Frank O'Bannon, Governor
State of Indiana

**Division of Family and Children
Child Support Bureau**

MS 11, 402 W. WASHINGTON STREET, ROOM W360
INDIANAPOLIS, IN 46204-2739

MEMORANDUM

RECEIVED

TO: All Clerks of the Circuit Court
All Prosecuting Attorneys
All IV-D Prosecutors

FROM: Joseph B. Mamlin, Deputy Director *JBM*
Division of Family and Children

RE: Official Duties

DATE: November 1, 2000

NOV 15 2000

It has come to my attention on several occasions recently that there is an ongoing confusion as to the official duties of the clerk and prosecutor staff as it relates to ISETS and child support orders. I recognize and understand that during the past several years, while ISETS was in an implementation phase, many counties arrived at agreements between offices that would allow the prosecutor to maintain ISETS records and court orders prior to the Clerk implementing the system. Now that ISETS is fully implemented in all counties, I have been asked to clarify the official duties so that counties can re-evaluate their internal processes, and make changes as they deem appropriate.

According to information I have received from the State Board of Accounts, the Clerk of the Circuit Court is responsible for court order entry and modification. This is based on the fact that it is the Clerk of the Circuit Court that is considered the official record keeper of the court as established by Indiana Law. It was for this reason that ISETS was designed such that a clerk ID is required in order to complete these tasks. It is not my intention to disrupt good service and well thought out processes. However, I am requesting that all counties review what is currently in place as it relates to what is provided here, and make certain that what is in place is in the best interest of the public, and does not violate laws or regulations. I also encourage those with questions to contact the State Board of Accounts for specific guidance.

Thank you for your continued support.

*Please make sure that I personally
receive a copy of ~~all~~ orders & modifications
dealing with child support &/or custody*

*Thanks
Cathy S.*



LOCAL RULES OF THE
JENNINGS CIRCUIT & SUPERIOR COURTS

FILED
OPEN COURT

JAN 3 2007

CLERK JENNINGS
CIR. COURT

LOCAL RULE 1 - CASE ASSIGNMENT

The Clerk of the Jennings Circuit Court and Superior Court and the Prosecuting Attorney of Jennings County, to the extent applicable, are directed to file the following types of cases in the following manner:

A. All Class A, B & C Felonies, Murder, Class D Felonies except those filed alleging an offense under IND. CODE 9-30-5-3 or 9-30-5-4 and related Post Conviction Relief Petitions, Juvenile CHINS, Juvenile Delinquent, Juvenile Status, Juvenile Paternity, Juvenile Miscellaneous, Juvenile Termination of Parental Rights, Mental Health, Adoptions, Adoption History Petitions, Unsupervised Estates, Supervised Estates, Guardianships, Trusts and alternating Civil Plenary, Civil Torts, Dissolutions, Reciprocal Support and Civil Miscellaneous in the Jennings Circuit Court.

B. All Class D Felonies filed alleging an offense under IND. CODE 9-30-5-3 or 9-30-5-4, Infractions and Ordinance Violations, Criminal Misdemeanors and related Post Conviction Relief Petitions, Small Claims, Protective Orders, Pro-Se Dissolutions, Miscellaneous Criminal and alternating Civil Plenary, Civil Torts, Dissolutions, Reciprocal Support and Civil Miscellaneous in the Jennings Superior Court.

C. The method of assigning alternating Civil Plenaries, Civil Torts, Dissolutions, Reciprocal Support and Civil Miscellaneous shall be by blind random draw.

D. In criminal cases, the highest charge filed shall determine the Court of filing.

E. If an information alleges a violation of IND. CODE 9-30-5-3 or 9-30-5-4 and any other Class D Felony, the case shall be filed in the Jennings Superior Court.

LOCAL RULE 1.1 - SUBMISSION OF WRITTEN PLEA AGREEMENTS

All plea agreements in felony and misdemeanor cases shall be submitted in writing to the Judge no later than forty-five (45) days prior to the initial pre-trial date in felony cases and no later than thirty (30) days prior to the initial pre-trial date in misdemeanor cases. The filing of the plea agreement automatically converts the previously scheduled pre-trial date into a plea hearing.

LOCAL RULE 2 - REASSIGNMENT (See Indiana Rule of Criminal Procedure 13 and 2.2)

In the event it becomes necessary to reassign a felony or misdemeanor case in the Jennings Circuit or Superior Court, the Judges will be reassigned in consecutive order from the following list of judges who have agreed to serve in the event of such assignment:

Honorable Stephen R. Heimann, Judge of the Bartholomew Circuit Court
Honorable Chris D. Monroe, Judge of the Bartholomew Superior Court #1
Honorable Norman D. Curry, Judge of the Bartholomew Superior Court #2
Honorable John A. Westhafer, Judge of the Decatur Circuit Court
Honorable Lloyd Mark Bailey, Judge of the Decatur Superior Court

Honorable Carl H. Taul, Judge of the Ripley Circuit Court
Honorable James B. Morris, Judge of the Ripley Superior Court
Honorable Frank W. Guthrie, Judge of the Jackson Superior Court
Honorable Ted R. Todd, Judge of the Jefferson Circuit Court
Honorable Fred H. Hoying, Judge of the Jefferson Superior Court
Honorable James D. Kleopfer, Judge of the Scott Circuit Court
Honorable Nicholas L. South, Judge of Scott Superior Court

LOCAL RULE 3 - SPECIAL JUDGE APPOINTMENT

Comes now the Court, on its own Motion, and, pursuant to TRIAL RULE 79(H), and after consulting with the Judges hereinafter named, adopts the following list for appointment of Special Judges in civil cases, to-wit:

Honorable Stephen R. Heimann
Honorable Chris D. Monroe
Honorable Norman D. Curry
Honorable John A. Westhafer
Honorable Lloyd Mark Bailey

and further orders that such Judges shall be submitted on a rotating basis, except when such Judges are known to this Court to be ineligible or disqualified as Special Judges under Section H of the aforesaid Rule. All such Judges hereinabove name, are within this Court's Administrative District Number 11. In the event a case is dismissed and refiled, the Judge last having jurisdiction in the dismissed case shall be the Judge in the new case.

LOCAL RULE 4 - PREPARATION OF COURT FORMS

A. A party requesting a hearing or continuance shall be responsible for preparing a chronological case summary entry which schedules or reschedules, as appropriate, a matter for hearing. Such entries shall be submitted with the Motion For Hearing or Continuance and shall be in lieu of any order scheduling or re-scheduling such matters together with sufficient copies and pre-addressed Clerk's envelopes to provide copies to all parties and/or counsel of record. A party requesting a hearing or continuance shall provide the Court with an estimate of the time anticipated to conduct the hearing.

B. A party filing any other type of motion shall, at the time of filing, submit a proposed order with sufficient copies and pre-addressed Clerk's envelopes to serve all parties and/or counsel of record.

C. A party agreeing or directed by the Court to prepare an order, judgment or decree shall do so in accordance with the directives of the Court and TRIAL RULE 58(B).

D. In addition to pre-addressed Clerk's envelopes, all chronological case summary entries and orders shall have, in the lower left-hand corner, a distribution list with the name and mailing address of each party or attorney to receive a copy of the same.

LOCAL RULE 5 - CONTINUANCES

A. All requests for continuances shall be made as soon as the reason therefor

has been discovered or should have been discovered. All motions shall, except in the event of an emergency or in open Court, be in writing and on file with the Court no later than ten (10) days prior to the scheduled matter unless the motion is accompanied by an affidavit that the reasons for the continuance have occurred within the ten (10) day period. Exceptions may be granted for matters scheduled with less than ten (10) days notice.

B. Each motion shall contain the reason for the requested continuance, that counsel has contacted opposing counsel and opposing counsel's response to the request, and shall be accompanied by sufficient copies of a chronological case summary entry which will allow the Court to notify all parties of rescheduling the matter. Agreement of counsel does not necessarily mean the motion will be granted.

C. The Court may require any written motion for continuance to be signed by the parties requesting the continuance in addition to his or her counsel and may require the motions to be served on the parties as well as the attorneys and on the victim or victim's family in a criminal case.

D. The Court, in its discretion, may assess any costs and expenses necessarily incurred by the Court, the County or parties as a result of continuances or delays.

LOCAL RULE 6 - WITHDRAWAL

In all cases in which the Court retains continuing jurisdiction (e.g. dissolution, criminal probation, etc.) and retained legal counsel and client do not wish to continue representation, counsel shall, at the conclusion of the matter for which counsel was retained, submit a motion to withdraw from representation and a proposed order.

An attorney withdrawing from a case shall serve the motion on all counsel and parties of record and the client. The order of withdrawal shall also set forth the former client's name and address for distribution and be accompanied by pre-addressed Clerk's envelopes as set forth in Local Rule 4 above.

LOCAL RULE 7 - BANKRUPTCY

It shall be the duty of the debtors' bankruptcy attorney to file with the Court a notice of bankruptcy setting forth the date of the bankruptcy filing, the bankruptcy court location and case number and an affirmation that the opposing party has been duly listed on the bankruptcy petition. Telephone calls from debtors or debtors' attorneys will not serve to stay proceedings in this Court.

LOCAL RULE 8 - SERVICE OF PROCESS

It shall be the duty of every person filing a pleading that requires service, to clearly designate the manner of service, e.g. certified mail or sheriff. If service is to be by certified mail, the person shall tender to the Clerk a completed certified mail return card and receipt with the cause number typed or printed on the mail return card.

LOCAL RULE 9 - FAMILIES ARE FOREVER PROGRAM

In any dissolution of marriage or legal separation proceeding where there

remain minor children born of the marriage, both the father and mother shall complete the Families Are Forever program or equivalent program approved by the Court within sixty (60) days after the filing of the petition and file with the Court a certificate of completion. Each party shall bear their own costs for the program. No final decree shall be entered until both certificates are on file with the Court. Failure to complete the program for the purpose of delay or vexation shall be punishable by contempt. Completion of the program shall NOT be waived except in unusual circumstances.

LOCAL RULE 10 - DISSOLUTION RULES AND GENERAL PHILOSOPHIES

A. Ex Parte Temporary Restraining Orders

Pursuant to IND. CODE 31-1-11.5-7 and INDIANA TRIAL RULE 65(E) if a party files the appropriate affidavit and motion for a temporary restraining order, the Court may issue a joint order.

1.) Dissipation of Assets - A joint order will be granted upon affidavit alleging fear that dissipation will occur.

2.) Removal of other party from residence. This will be granted only when:

- (a) there are specific allegations of past physical violence to the spouse; or,
- (b) person seeking restraining order has moved from the marital residence and wants other party restrained from the new residence; or,
- (c) specific allegations that the person sought to be restrained moved from the marital residence at least 7 days prior to the filing of the request.

3.) Keep the other party from your place of work or calling your place of work. This will be granted upon allegations of fear of harassment and must be joint.

4.) Keeping the car in your possession. This will be granted upon allegation of fear of removal and allegation that this was normally your car to drive during the marriage.

5.) Keep items of personal property in your possession. This will be granted only to keep the other party from removing the items from the marital residence and must be joint.

6.) Temporary custody of children. This will not be ordered ex parte unless: (a) there are specific allegations in the petition; and, (b) there is a conference with the attorney and the judge. The specific allegations must include a statement that the party seeking temporary custody is the primary caregiver of said child; however, this allegation in and of itself will not be sufficient to warrant an order of temporary custody.

7.) Upon request, the Court will order that neither party remove the

children from Jennings County and contiguous counties upon request.

8.) NOTE: At a provisional hearing, the Court may remove a party from the residence if it is in the best interest of the parties and there has been ongoing harassment.

9.) NOTE: Ex parte temporary restraining orders expire 20 days from the date of order or on the date of hearing, whichever occurs first, unless the restrained party continues the hearing in which case the temporary restraining orders will automatically remain in effect until the hearing.

10.) NOTE: The tendered orders shall not say "And the Court finding the allegations to be true."

B. Emergency Provisional Hearings

If a provisional hearing is set and the other party moves for a change of venue from the judge, the Court will consider that the matter is an emergency and the hearing will remain on the docket. The hearing will then be held in a bifurcated fashion and the Petitioner must provide, in the first part of the hearing, that an emergency exists. If there is no showing that an emergency exists, then the second part of the hearing will not take place. The Court will consider the immediate need for maintenance as an emergency.

C. Court Costs

If these were initially waived, they will be addressed at the provisional hearing, and if none, then at the final hearing.

D. Support Guidelines

Will be followed unless a party provides reason why they should not be followed completely.

E. Visitation

See guidelines attached; however, these are very fact-sensitive.

F. Scheduling

1.) Uncontested Day. Citations, provisional hearings and final hearings will be scheduled on specific days. These will follow ADR method with the attorneys stating what they believe the facts will show in an opening statement. Then the judge has the option to ask pertinent questions. If one side wants a contested hearing, the case will be set over unless there are some emergency matters which need to be dealt with immediately.

2.) Contested Provisionals. These will be set for 30 minutes (15 minutes per side) unless additional time is requested.

3.) Contested Finals. These will be set for 2 hours (1 hour each side) unless additional time or less time is requested in the motion for trial setting.

4.) Pre-trials will be granted if requested and are encouraged.

G. Citations During Pendency

Service on attorneys is sufficient.

H. General Continuances

If a party request a general continuance because they are attempting to reconcile, then the tendered order should set up a 41(E) hearing 6 months thereafter.

I. Set Language In Every Decree

1.) If a non-custodial parent is granted a child as a dependent for their income taxes, the decree should state: "Mr. Smith shall be entitled to claim Jeremy as a dependent on his state and federal income tax returns so long as he is current in his child support obligations at the end of each respective calendar year and Mrs. Smith shall execute and return the necessary tax documents to Mr. Smith, upon receipt from him, on or before January 31st after the close of said taxable calendar year."

2.) In each case where a party pays child support through the Clerk of the Court, the decree should state: "Mr. Smith is ordered to pay \$60.00 per week through the Office of the Clerk of this Court, Courthouse, Vernon, Indiana 47282, by cash, money order or cashier's check, which payments are to commence on (January 13, 1997) and be paid on or before each Friday thereafter."

J. Withdrawal Of Appearance Upon Final Judgment

The Court will consider your appearance automatically withdrawn 35 days after a final judgment.

NOTE: These are generalized philosophies only. Obviously, there may be circumstances which would cause the Court to deviate from these philosophies.

A. Maintenance

Provisional. The Court will generally look at bills and apportion bills instead of ordering maintenance on top of child support.

B. Retroactive Support

1.) If the provisional hearing is held on the date it was first set for hearing, then there will be no retroactive support; however, the Court will look at the parties past due bills and will equitably apportion them.

2.) There is no set rule for modifications; however, if a non-custodial parent moves for a continuance, support will be retroactive to the date of the first hearing. No advantage will be gained by continuances.

C. Attorney Fees

1.) Disclose to Court if you are appointed by legal aid.

2.) Provisional. Court considers that there are \$1,000.00 in total

provisional fees and will apportion initial fees accordingly.

3.) Non-Provisional Citations

- (a) Support - \$200.00, plus or minus
- (b) Attorney fees - \$200.00, plus or minus
- (c) Generally - Send letter to noncompliant party before first citation and introduce letter at hearing
- (d) Generally - Wait until noncompliant party is at least 3 weeks behind before filing first citation

D. Tax Exemptions

These may be allocated to the non-custodial parent. Higher income parent will get younger child(ren).

E. College Expenses

- 1.) Court looks at ability of child to attend.
- 2.) Court looks at ability of parents to pay.
- 3.) Court looks at ability of child to contribute.
- 4.) Won't grant college expenses years in advance of college.
- 5.) Generally, orders payment based upon state bulletin estimated residency expenses, unless:
 - (a) mom and dad both went to private schools; or,
 - (b) brothers and sisters went to private schools; or,
 - (c) child has an extremely high aptitude; or,
 - (d) child has been promised private school for years.
- 6.) Court will subtract out grants and scholarships which apply to both public and private schools.
- 7.) Generally, maximum of 4 years.
- 8.) If college expenses include room and board, then child support will most likely be reduced while the child is attending school.

F. Overtime Or Second Job

- 1.) If a party starts working overtime or a second job after dissolution, then these earnings are not considered.
- 2.) If regular or standard, then overtime is considered.

3.) If overtime is incidental, then it is not considered.

G. Final Proceedings

1.) Evidence. The attorneys should prepare summary sheets which contain the following information.

(a) personal property summary sheet

- i. fair market value
- ii. when acquired
- iii. whose possession
- iv. who is proposed to receive
- v. if owned prior to marriage

(b) real estate summary sheet

- i. fair market value
- ii. debt

(c) bank accounts, stocks, retirement summary sheet

NOTE: These values should be as of the date of separation.

(d) debt summary sheet

- i. secured - generally will follow property
- ii. unsecured
- iii. joint, or husband or wife

(e) proposed distribution summary sheet

(f) child support guidelines

NOTE: Must attach schedule whether the case is contested or not

(g) supporting documents

(h) stipulations

(i) must provide extra copies for Court and opponent

LOCAL RULE 11 - COURTHOUSE SECURITY

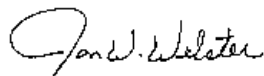
No person shall enter the Jennings County Courthouse carrying a deadly weapon of any kind or type, whether carried openly or concealed. This rule does not apply

to individuals who qualify under IND. CODE 35-41-1-17 as law enforcement officers.

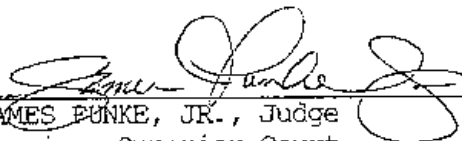
LOCAL RULE 12 - VISITATION

The Guidelines For Visitation And Related Matters In The Jennings Circuit/
Superior Courts are adopted by reference.

APPROVED THIS 21 DAY OF JANUARY, 1997.



JON W. WEBSTER, Judge
Jennings Circuit Court



JAMES BUNKE, JR., Judge
Jennings Superior Court

GUIDELINES FOR VISITATION AND RELATED MATTERS IN THE JENNINGS CIRCUIT/SUPERIOR COURTS

I. VISITATION SCHEDULE

In custody orders, the primary care, custody and control of the minor child(ren) of the parties is granted to the custodial parent, subject to reasonable visitation rights by the non-custodial parent at such times and places as may be mutually agreed upon by the parties. A visitation agreement made by both parents is preferred to a court imposed solution. If the parties do not agree, the following shall be considered the minimum visitation to which the non-custodial parent shall be entitled. In situations where the non-custodial parent may not have had on-going contact with the child(ren), or in the case of very young child(ren), initial visitation may be shorter and graduated into regular visitation.

A. Alternating weekends from 6:00 p.m. on Friday until 6:00 p.m. on Sunday;

B. One evening per week from 6:00 p.m. to 9:00 p.m. In the event the parties cannot agree on the day of the week, the day shall be Wednesday.

C. In addition to the weekend visitation, holiday visits shall be according to the following schedule, (whether or not the child(ren) is/are attending school), with the non-custodial parent receiving visitation on the next scheduled holiday listed below, and that holiday will determine which parent is "1" or "2". Thereafter, each year the parties shall switch which parent is "1" and which parent is "2":

1. The night before each child's birthday from 6:00 p.m. to 9:00 p.m. (to include the birthday child as well as each of the siblings with whom the non-custodial parent has visitation right(s);
2. Each child's birthday from 6:00 p.m. to 9:00 p.m. (to include the birthday child as well as each of the child's siblings with whom the non-custodial parent has visitation right(s);
1. The child(ren)'s spring break from school (based on the school schedule in the district in which the child(ren) reside(s), from 6:00 p.m. Friday, for nine (9) days, until 6:00 p.m. Sunday; and Easter weekend from 6:00 p.m. on Good Friday until 6:00 p.m. on Easter Sunday;
2. Memorial Day weekend from 6:00 p.m. on Friday until 6:00 p.m. on Monday;
1. Independence Day from 6:00 p.m. on July 3 until 10:00 p.m. on July 4;
2. Labor Day weekend from 6:00 p.m. on Friday until 6:00 p.m. on Monday;
1. Thanksgiving holiday from 6:00 p.m. on Wednesday until 6:00 p.m. on Friday;
2. Christmas holiday from 6:00 p.m. on the last day of school before Christmas break (based upon the school schedule in district in which the child(ren) resides) until 12:00 o'clock noon December 25th;
1. From 12:00 noon on December 25th until 6:00 p.m. on January 1st.

C. Mother shall have the child(ren) every Mother's Day from 10:00 a.m. until 6:00 p.m., and Father shall have the child(ren) every Father's Day from 10:00 a.m. until 6:00 p.m.

D. In the summertime, a total of three (3) weeks in the months of June, July or August, selected by the non-custodial parent with the times to be determined by May 1st of each year, two (2) weeks of which may be consecutive.

E. If the parties are separated by a distance, making it impractical or not feasible to provide for regular weekend visitation, as determined by the non-custodial parent, then visitation by the non-custodial parent shall be for a period of six (6) weeks during the summer months, in addition to whatever holiday visitation is exercised. Air and/or ground transportation for parents separated by long distances shall be addressed on a case-by-case basis. If so desired by the custodial parent a two (2) day visitation period in the middle of the six (6) weeks by the custodial parent is permissible if arranged and paid for by the custodial parent.

F. Where children are less than one year old, visitation shall be alternate Saturdays or alternate Sundays from 10:00 a.m. until 6:00 p.m. If the child is less than three months old, such period shall be from 2:00 p.m. until 6:00 p.m.

G. Where there is a conflict between a holiday weekend and the regular weekend visitation, the holiday takes precedence. Thus if the non-custodial parent misses a regular weekend because it is the custodial parent's holiday, then the weekend visitation schedule shall begin again the weekend following the holiday and each alternate weekend thereafter. If the non-custodial parent receives two consecutive weekends because it is their holiday, then the non-custodial parent misses the weekend after the holiday and the alternate weekend schedule resumes on the second weekend after the holiday.

II. RELATED MATTERS

A. Support shall abate by fifty percent (50%) during extended visits of two (2) consecutive weeks or more.

B. Neither access nor child support shall be withheld because of either parent's failure to comply with a court order.

C. Whenever the non-custodial parent exercises visitation at the beginning of each visitation period, the non-custodial parent shall pick up the child(ren) at the residence of the custodial parent or at a mutually agreed upon location. At the end of each visitation period when the child(ren) is/are to return to the custodial home, the custodial parent shall pick up the child(ren) at the residence of the non-custodial parent or at a mutually agreed upon location. Each parent shall have the child(ren) ready for visitation and the child(ren)'s return to the custodial parent's home at the appropriate time. The custodial parent shall make arrangements to provide adequate clothing and other personal items for the visitation periods including, but not limited to, a child restraint device used for transporting said child(ren) and necessary medication, if any, all of which shall be returned in good condition at the conclusion of visitation.

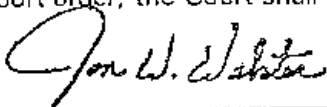
D. The non-custodial parent shall give the custodial parent three (3) days prior notice if he or she does not intend to exercise visitation unless an emergency situation exists, in which case, he or she will give such notice as is possible under the circumstances. Should the non-custodial be more than thirty (30) minutes late for visitation, without having made prior arrangements, visitation shall be forfeited unless otherwise agreed.

E. Each parent shall supply the other with his/her current home and work address and telephone number. Each parent shall allow reasonable telephone and mail privileges with the child(ren), and deliver all mail to the child(ren) sent by the other parent.

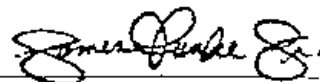
F. The custodial parent shall provide copies of all school and medical reports and school pictures within ten (10) days of their receipt and shall immediately notify the other parent in the event of a medical emergency. The custodial parent shall inform the non-custodial parent of school and/or social functions permitting parental participation within twenty-four (24) hours after receiving notice of such function.

G. It is expected that the custodial and non-custodial parent be the sole participants in visitation exchanges rather than boyfriends, girlfriends, new spouse or grandparents.

The above guidelines should not be interpreted to limit the agreement by the parties for visitation at other times. However, if the parties mutually agree to change the provisions of their decree of divorce with regard to support or custody, they shall petition the Court to approve and order that change. In the event that the parties do not obtain a court order, the Court shall not be bound by any such alleged agreement.



Jon W. Webster, Judge
Jennings Circuit Court



James Funke, Jr., Judge
Jennings Superior Court

JENNINGS CIRCUIT COURT

86th Judicial Circuit
Post Office Box 386
Vernon, IN 47282-0386
Phone: (812) 346-3207

Honorable
Jon W. Webster
Judge

Linda D. Buchanan
Tiona G. Sullivan
Court Reporters

Howard D. Hendricks
Bailiff

September 16, 1999

Dear Counsel:

On July 16, 1999, Chief Justice Shepard ordered all counties and judicial districts to adopt Local Caseload Plans.

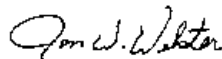
Judge Funke and myself adopted Local Rule 14 for Jennings County. A copy is enclosed. Distribution of cases within Jennings County will remain unchanged.

The Judges of Judicial District #11 (Bartholomew, Brown, Decatur, Jennings, and Jackson Counties) met and adopted the enclosed Caseload Redistribution Plan for District #11.

The most important change is found in Rule B(d) and (e).

The reason for the Rule is simply a failure by some attorneys (not all of you) to in any way attempt to communicate or settle cases. This obviously is not a problem unique to Jennings County as all Judges indicated at our meeting this ever increasing problem. Thus, mediation will require the attorneys and the parties to attempt to resolve their problems before eating up days of court time.

Sincerely,



Jon W. Webster, Judge
Jennings Circuit Court

JWW:tgs

JENNINGS CIRCUIT AND SUPERIOR COURTS

LOCAL RULE 14

LOCAL CASELOAD PLAN

Preamble:

This local rule is promulgated by Order of the Supreme Court of Indiana dated July 16, 1999.

The Judges of the Jennings Circuit Court and Jennings Superior Court have divided caseloads pursuant to previously adopted Local Rule 1, which is attached hereto as Exhibit 1 and incorporated herein by express reference.

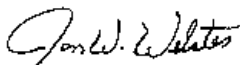
In adopting Local Rule 1, effective January 2, 1997, the Courts balanced case complexity versus volume with the realization that juvenile matters, probate matters, and serious felonies involve substantially more time and repetitive hearings than do small claims, misdemeanors and infractions, but that the latter cases involve substantially more volume in terms of sheer numbers, thus balancing the other out.

The Judges of the Jennings Circuit Court and Jennings Superior Court, after two and one-half (2 ½) years of following Local Rule 1, believe it requires a nearly equal expenditure of time by each Judge.

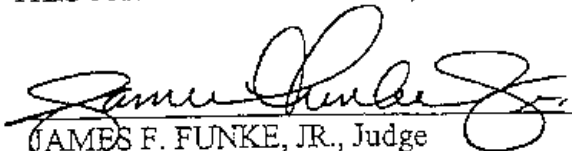
Adoption Of Rule:

Accordingly, Local Rule 1 of the Jennings Circuit and Jennings Superior Court is adopted by express reference by these Courts to comply with the Order For Development of Local Caseload Plans dated July 14, 1999.

APPROVED AND SO ORDERED THIS 23rd DAY OF AUGUST, 1999.



JON W. WEBSTER, Judge
Jennings Circuit Court



JAMES F. FUNKE, JR., Judge
Jennings Superior Court

INDIANA JUDICIAL DISTRICT # 11
CASELOAD REDISTRIBUTION PLAN
(Bartholomew, Brown, Decatur, Jennings, and Jackson Counties)

The Judges of the District having met; we, the undersigned judges of Jennings County, hereby adopt this District Caseload Redistribution Plan for Allocation of Judicial Resources.

A. Recognition of factors in addition to weighted caseload study that cause disparity in workload.

The Weighted Caseload Study is an instrument for measuring relative workload of Indiana trial courts. There are certain additional factors that the trial judges in our District have considered in devising our District Plan.

- a.) Courts that have traditionally handled higher volumes of domestic relation cases will have more work from re-docketed cases than will a court that recently began handling domestic relation cases. Courts that recently began handling domestic relation cases will not have as many modification and citation cases filed.
- b.) There is a disparity between judges in the number of special judge cases that they are required to handle. Likewise, there is a variance between courts as to the number of cases for which there is a change of venue from the judge or from which the judge must recuse himself or herself.
- c.) Some attorneys advocate in a more adversarial manner than do others. These practitioners gravitate to certain courts, which results in a lower settlement rate. The judges in these courts will expend a greater amount of time per case than will other courts with similar types of cases. This is especially true in domestic relation cases.
- d.) The administrative duties differ from court to court. A judge in a small community is expected to attend more community meetings than do judges in larger metropolitan communities. A judge with juvenile jurisdiction has to expend more administrative time, especially if they are responsible for a detention center.

B. Rules

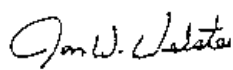
- a) Because of the caseloads of Bartholomew Circuit Court and Jackson Circuit Court, the judges from those two Courts will not be required to serve as special judge in any cases. They will not be placed on any panels by other judges in the District. In the event that they are selected by agreement, they will decline appointment.
- b) Because of the caseload in Jackson Circuit Court, the Magistrate from Brown Circuit Court will be assigned to sit as "concurrent judge" (in the nature of a judge pro tem or magistrate) of the Jackson Circuit Court one-half day biweekly. Because of the caseload in the Bartholomew Circuit Court, the Circuit Judge from Rush County will be assigned to sit as a concurrent judge of the Bartholomew Circuit Court one-half day biweekly. The concurrent judge shall be authorized to serve at the same time as the regular sitting Circuit Court Judge in separate courtrooms within the Courthouse. The concurrent judge shall hear

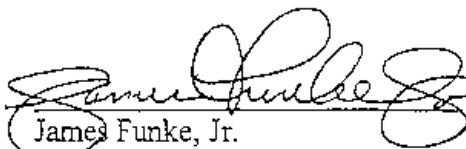
COPY

such matters as domestic relation citations and modifications, reciprocal support actions, criminal initial hearings, criminal bond reduction hearings, criminal change of plea hearings, adoptions, pretrial conferences, and other routine matters. This list is representative of the types of cases which the special judge will hear, but is not intended to be an exclusive list. The concurrent judge shall not be considered as a judge pro tem (since the regular judge will still be available and acting as judge on other cases in another courtroom). The concurrent judge will sit on a periodic basis for a class of cases as assigned by the regular judge.

- c) Because of the caseload in Bartholomew Circuit Court, the County Court Judge from Rush County will be assigned legal research to assist the judge of the Bartholomew Circuit Court. Said assignments shall be on a case by case basis as is agreed to between the Courts.
- d) To assist all Courts within the District, all civil cases that will require more than two hours of trial time will be referred to mediation. Whenever a trial is requested within the District (except for small claims), the party requesting the trial must state in the Motion For Trial Setting the expected length of the trial. In the event that the parties request a trial setting of two hours or less and the hearing has not concluded within two hours, then the Court shall have the discretion to recess the trial and refer the matter to mediation at that time.
- e) To assist all Courts within the District, in all domestic relation cases; the parties are ordered to exchange names and addresses of all witnesses as well as copies of all exhibits at least 14 days prior to trial. Parties are further ordered to file with the Court a marital balance sheet, including date-of-filing values, as well as a proposed property and debt division at least 7 days prior to trial, along with a witness and exhibit list. Failure to comply will result in the Court removing the case from the trial calendar and shall subject the non-complying party to sanctions. Failure to include a witness or exhibit on the submitted list shall preclude the witness from testifying or the exhibit from being introduced.
- f) In those Courts which utilize Senior Judges, the Senior Judge may serve concurrently with the regular sitting judge.
- g) The Bartholomew County Circuit Judge in conjunction with the Jackson County Circuit Court Judge shall seek from the Indiana State Legislature a bill creating a position of Magistrate that would serve both Courts.
- h) The judges from District #11 shall meet during the month of September, 2000 to review this rule and determine if any adjustments are needed.

The foregoing District Rule having been formally adopted by the Courts in District #11, the same is hereby promulgated and made effective as of the 1st day of October, 1999.

 9-3-99
John W. Webster
Jennings County Circuit Court

 9/3/99
James Funke, Jr.
Jennings County Superior Court

LOCAL RULE 10 (H)

SUBMISSION OF FINANCIAL DECLARATION FORM

- A. **Requirement**: In all relevant family law matters, including dissolutions, legal separations, paternity and post decree support or maintenance proceedings, the moving party shall prepare and serve a Financial Declaration Form on the opposing party or their counsel within thirty (30) days of the date of the filing of the action. The responding party shall prepare and serve a Financial Declaration Form within twenty (20) days after receipt of service of the moving party's declaration. These time limits may be amended by court order or good cause shown after motion or by written agreement of the parties filed with the Court.
- B. **Exceptions**: The Financial Declaration Form need not be exchanged if:
- 1.) the parties agree in writing to waive exchange;
 - 2.) the parties have executed a written agreement which settles all financial issues;
 - 3.) the proceeding is one in which the service is by publication and there is no response, or;
 - 4.) the proceeding is post-decree and concerns issues without financial implications. Provided, however, when the proceeding is post-decree and concerns only an arrearage, the alleged delinquent party shall complete the entire Form, while the support recipient need complete merely that portion thereof which requires specification of the basis of the arrearage calculation (with appropriate supporting documentation)
 - 5.) Where the gross marital estate in a dissolution or legal separation is \$5,000.00 or less.
- C. **Admissibility**: Subject to specific evidentiary challenges, the Financial Declaration shall be admissible into evidence upon filing.
- D. **Supporting Documents**: For the purpose of providing a full and complete verification of income, assets, liabilities and values, each party shall attach to the Financial Declaration Form all information reasonably required and reasonably available. At the minimum, this shall include income tax returns and supporting documentation, and current wage records. "Reasonably available" means that material which may be obtained by letter accompanied with an authorization, but does not mean material that must be subpoenaed or is in the possession of the other party. The Court may require either party to supplement such Financial Declaration with appraisals, bank records, and other evidence to support the values set out therein.
- E. **Financial Declaration--Mandatory Discovery**: The exchange of Forms constitutes mandatory discovery. Thus, INDIANA TRIAL RULE 37 sanctions apply. Additionally, pursuant to INDIANA TRIAL RULE 26 (E)(2) and (3), the Form shall be supplemented if additional material becomes available.

Petitioner
-VS-

CAUSE NO. _____

DATED: _____

Respondent

VERIFIED FINANCIAL DECLARATION OF
(HUSBAND/FATHER) (WIFE/MOTHER)

Husband/Father Name: _____	Wife/Mother Name: _____
Address: _____ _____	Address: _____ _____
Social Security No.: _____	Social Security No.: _____
Occupation: _____	Occupation: _____
Employer: _____	Employer: _____
Date of Birth: _____	Date of Birth: _____
ATTORNEYS: Name, Address and Telephone Number: 	ATTORNEYS: Name, Address and Telephone Number:

GROSS WEEKLY INCOME -ATTACH LAST THREE (3) PAYROLL STUBS

AMOUNT

	AMOUNT
1) Gross Weekly Salary, Wages and Commissions	
2) Gross Weekly Pension/Retirement/Social Security/Disability/Unemployment Workmen's Comp.	
3) Gross Weekly Child Support received from any prior marriage (not this one)	
4) Gross Weekly Dividend and Interest	
5) Gross Weekly Rents/Royalties less ordinary and necessary expenses (Attach calculations)	
6) Gross Weekly Business/Self-Employment Income: Less ordinary and necessary expenses (Attach calculations)	
7) All Other Sources (Specify) <u>Includes Bonuses; Alimony and Maintenance Received From Prior Marriages; Capital Gains; Trusts Income; Gifts; Prizes; In-Kind Benefits from Employment such as Company Car, Free Housing, Reimbursed Meals. DO NOT include ADC, SSI General Assistance, Food Stamps.</u>	
8) TOTAL GROSS WEEKLY INCOME (Total lines 1-7)	

9) Minus Weekly Court Ordered Child Support For Prior Children-Amounts Actually Paid	
10) Minus Weekly Legal Duty Child Support for Prior Children	
11) Minus Weekly Health Insurance Premiums for Children Of This Marriage Only	
12) Minus Weekly Alimony/Support/Maintenance Paid to Prior Spouses-Amounts Actually Paid	
13) Weekly Available Income (Line 8 less Lines 9-12)	
14) Weekly Work Related Child Care Costs for Custodial parent to work for children of this marriage	
15) Weekly Extraordinary Healthcare Expenses (Children of this marriage only-uninsured only)	
16) Weekly Extraordinary Education Expenses (Children of this marriage only)	
<u>MONTHLY EXPENSES AND DEDUCTIONS FROM INCOME</u>	
1) Federal Income Taxes (Weekly Deductions x 4.3)	
2) State Income Taxes (Weekly Deductions x 4.3)	
3) Local Income Taxes (Weekly Deductions x 4.3)	
4) Social Security Taxes (weekly Deductions x 4.3)	
5) Retirement/Pension Fund-Mandatory () Optional () (Weekly Deductions x 4.3)	
6) Rent/Mortgage Payments (Residence)	
7) Residence/Property Taxes/Insurance (if not included in mortgage payment)Total for year : 12	
8) Maintenance on Residence	
9) Food/Household Supplies/Laundry/Cleaning	
10) Electricity (Total for year : 12)	
11) Water/Sewer/Solid Waste/Trash Collection (Total for year : 12)	
12) Gas (Total for year : 12 or monthly budget amount)	
13) Telephone (including long distance charges)	
14) Clothing	
15) Medical/Dental Expenses (Not reimbursed by insurance)	
16) Automobile-Loan payment	
17) Automobile-Gas/Oil	
18) Automobile-Repairs	

19) Automobile-Insurance (Total for year : 12)	
20) Life Insurance	
21) Health Insurance (Exclude payments for children shown on page 2, line 11)	
22) Disability/Accident/Other Insurance (Please specify)	
23) Entertainment (Clubs, Social Obligations, Travel, Recreation, Cable Television)	
24) Charitable/Church Contributions	
25) Personal Expenses (Haircuts, cosmetics, grooming, tobacco, alcohol, etc.)	
26) Books/Magazines/Newspapers	
27) Education/School Expenses (Self and children you have custody of)	
28) Daycare/Work Related Child Care Costs (Weekly amount x 4.3)	
29) Other Expenses (Please specify)	
30)	

MONTHLY LOAN/CHARGE EXPENSES FOR	BALANCE	AMOUNT
31)		
32)		
33)		
34)		
35)		
36)		
37)		
38)		
39) TOTAL MONTHLY EXPENSES & DEDUCTIONS FROM INCOME (Total lines 1-38)		
40) AVERAGE WEEKLY EXPENSES & DEDUCTIONS (Total monthly expenses : 4.3)		

ASSETS

Disclose all assets known to you, even if you do not know the value. Under ownership H-Husband, W-Wife, J-Joint. Lien amount includes only those liens secured by an item, such as a mortgage against the house, debts shown on title to vehicle, loans against life insurance policies or loans where an item is pledged as collateral. Value assets as of date Petition for Dissolution of Marriage was filed.

DESCRIPTION	Gross Value	Less Lien Mortgage	Net Value	H	W	J
A. Household furnishings/furniture/ Appliances						
1) In possession of Husband						
2) In possession of Wife						
B. Automobiles, Trucks, Vehicles (Include make, model and year)						
3)						
4)						
5)						
6)						
C. Securities-Stocks, Bonds & Stock Options						
7)						
8)						
9)						
10)						
D. Cash, Checking, Savings Deposit Accounts, CD's (Include name of Bank/credit union and type of account)						
11)						
12)						
13)						
14)						
15)						
E. Real Estate (include land sales contract)						
16) Marital Residence (show address) Basis of Valuation _____ Name of Lender 1st mortgage _____ Name of Lender 2 nd mortgage _____						

DESCRIPTION

Gross
ValueLess Lien
MortgageNet
Value

H

W

J

17) Other (Show Address) Basis of Valuation _____ Name of Lender 1 st mortgage _____ Name of Lender 2 nd mortgage _____						
18) Other (Show Address) Basis of Valuation _____ Name of Lender 1 st mortgage _____ Name of Lender 2 nd mortgage _____						
F. Cash Retirement Accounts (IRA, 401K, Keoughs, Employee Savings Plans, Stock Ownership/Profit Sharing Plans, etc.						
19)						
20)						
21)						
22)						
23)						
G. Retirement Benefits, Deferred Compensation Plans and Pensions (Including information available on benefits, whether benefits are vested or in pay status)						
24)						
25)						
H. Business Interests						
26)						
27)						
28)						
I. Life Insurance (Show company name & Death benefit) Term and Group _____						
29) Named Beneficiary _____						
30) Named Beneficiary _____						
31) Named Beneficiary _____						

DESCRIPTION
**Gross
Value**
**Less Lien
Mortgage**
**Net
Value**
H
W
J

Whole Life & Others (Show Cash Value Under Gross Value)						
32) Named Beneficiary _____						
33) Named Beneficiary _____						
34) Named Beneficiary _____						
J. Other Assets (Include any type of assets having value including jewelry, personal property, assets located in safety deposit boxes, accrued bonuses, etc.						
35)						
36)						
37)						
38)						
39)						
40)						

ASSETS ACQUIRED BY YOU PRIOR TO THE MARRIAGE OR THROUGH INHERITANCE OR GIFT (Whether now owned or not)
Show Significant Assets Only
Gross Value
**Less Liens/
Mortgage**
Net Value
Value Date

A. Assets Owned By You Prior To Marriage (Value as of date of marriage)				
1)				
2)				
3)				
4)				
5)				
B. Assets Acquired by You During Marriage Through Inheritance or Gifts (Value as date of acquisition)				
6) Acquired from whom:				
7) Acquired from whom:				
8) Acquired from whom:				

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING,
INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT, THAT THIS
DECLARATION WAS EXECUTED ON THE _____ DAY OF _____, 199____. I
FURTHER UNDERSTAND THAT FAILURE TO COMPLETE THIS DOCUMENT
ACCURATELY AND TRUTHFULLY MAY RESULT IN REOPENING OF THE
DISSOLUTION DECREE AT A LATER DATE.

SIGNATURE: _____
PRINTED NAME: _____

You are under a duty to supplement or amend this Financial Declaration prior to trial if
you learn the information provided is incorrect or incomplete, or the information provided is no
longer true.

CERTIFICATE OF SERVICE

I hereby certify that a true, exact and authentic copy of the foregoing has been served
upon the opposing party or parties either by personal delivery or First Class Mail, postage
prepaid, this ____ day of _____, 199____.

JENNINGS CIRCUIT COURT

86th Judicial Circuit
Post Office Box 386
Vernon, IN 47282-0386
Phone: (812) 346-3207

Honorable
Jon W. Webster
Judge

Linda D. Buchanan
Tiona G. Sullivan
Court Reporters

March 10, 2000

Howard D. Hendricks
Bailiff

Ms. Lila G. Judson
Executive Director of State
Court Administration
115 W. Washington Street
Suite 1080, South Tower
Indianapolis, IN 46204

Re: Amended District #11 Caseload Redistribution Plan

Dear Ms. Judson:

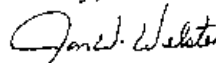
The judges in our district met recently and approved some changes to the Caseload Redistribution Plan for District #11. I am enclosing an executed copy of the Amended District #11 Caseload Redistribution Plan which has been signed by Judge Funke and myself.

You should be receiving identical amended rules from other counties in our district which include Bartholomew, Decatur, Jackson, and Brown. The changes are in Rule 2(D) and 2(E). As you can see, there are no major substantive changes. The changes are more in nature of clarification.

Please forward this Amended District #11 Caseload Redistribution Plan to the appropriate entity for approval.

Thank you.

Sincerely,



Jon W. Webster, Judge
Jennings Circuit Court

JWW:tgs
Enclosure

AMENDED INDIANA JUDICIAL DISTRICT # 11
CASELOAD REDISTRIBUTION PLAN
(Bartholomew, Brown, Decatur, Jennings, and Jackson Counties)

The Judges of the District having met; we, the undersigned judges of Jennings County, hereby adopt this District Caseload Redistribution Plan for Allocation of Judicial Resources.

1 Recognition of factors in addition to weighted caseload study that cause disparity in workload.

The Weighted Caseload Study is an instrument for measuring relative workload of Indiana trial courts. There are certain additional factors that the trial judges in our District have considered in devising our District Plan.

(A) Courts that have traditionally handled higher volumes of domestic relation cases will have more work from re-docketed cases than will a court that recently began handling domestic relation cases. Courts that recently began handling domestic relation cases will not have as many modification and citation cases filed.

(B) There is a disparity between judges in the number of special judge cases that they are required to handle. Likewise, there is a variance between courts as to the number of cases for which there is a change of venue from the judge or from which the judge must recuse himself or herself.

(C) Some attorneys advocate in a more adversarial manner than do others. These practitioners gravitate to certain courts, which results in a lower settlement rate. The judges in these courts will expend a greater amount of time per case than will other courts with similar types of cases. This is especially true in domestic relation cases.

(D) The administrative duties differ from court to court. A judge in a small community is expected to attend more community meetings than do judges in larger metropolitan communities. A judge with juvenile jurisdiction has to expend more administrative time, especially if they are responsible for a detention center.

2 Rules

(A) Because of the caseloads of Bartholomew Circuit Court and Jackson Circuit Court, the judges from those two Courts will not be required to serve as special judge in any cases. They will not be placed on any panels by other judges in the District. If they are selected by agreement, they will decline appointment.

(B) Because of the caseload in Jackson Circuit Court, the Magistrate from Brown Circuit Court will be assigned to sit as "concurrent judge" (in the nature of a judge pro tem or magistrate) of the Jackson Circuit Court one-half day biweekly. Because of the caseload in the Bartholomew Circuit Court, the Circuit Judge from Rush County will be assigned to sit as a concurrent judge of the Bartholomew Circuit Court one-half day biweekly. The concurrent judge shall be authorized to serve at the same time as the regular sitting Circuit Court Judge in separate courtrooms within the Courthouse. The concurrent judge shall hear such matters as domestic relation citations and modifications, reciprocal support actions, criminal initial hearings, criminal bond reduction hearings, criminal change of plea hearings, adoptions, pretrial conferences, and other routine matters. This list is representative

of the types of cases which the special judge will hear, but is not intended to be an exclusive list. The concurrent judge shall not be considered as a judge pro tem (since the regular judge will still be available and acting as judge on other cases in another courtroom). The concurrent judge will sit on a periodic basis for a class of cases as assigned by the regular judge.

(C) Because of the caseload in Bartholomew Circuit Court, the County Court Judge from Rush County will be assigned legal research to assist the judge of the Bartholomew Circuit Court. Said assignments shall be on a case by case basis as is agreed to between the Courts.

(D) To assist all Courts within the District, all civil cases that will require more than two hours of trial time will be referred to mediation, unless written waiver is granted by the Court. Whenever a trial is requested within the District (except for small claims), the party requesting the trial must state in the Motion For Trial Setting the expected length of the trial. In the event that the parties request a trial setting of two hours or less and the hearing has not concluded within the time allotted, then the Court shall have the discretion to recess the trial and refer the matter to mediation at that time.

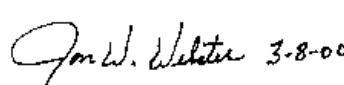
(E) To assist all Courts within the District, in all contested family law cases (including paternity, guardianship, and dissolution cases except for provisional hearings); counsel for the parties are ordered to exchange names and addresses of all witnesses as well as actual copies of all exhibits at least 7 days prior to trial. They are further ordered to file a list of the witnesses and exhibits with the Court at least 7 days prior to trial. In contested dissolution cases, counsel for the parties are further ordered to file with the Court a marital balance sheet, including date-of-filing values, as well as a proposed property and debt division at least 7 days prior to trial. Failure to comply will result in the Court removing the case from the trial calendar and shall subject the non-complying party to sanctions. Failure to include a witness or exhibit on the submitted list shall preclude the witness from testifying or the exhibit from being introduced.

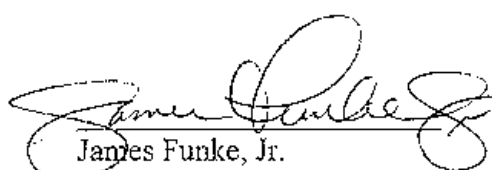
(F) In those Courts which utilize Senior Judges, the Senior Judge may serve concurrently with the regular sitting judge.

(G) The Bartholomew County Circuit Judge in conjunction with the Jackson County Circuit Court Judge shall seek from the Indiana State Legislature a bill creating a position of Magistrate that would serve both Courts.

(H) The judges from District #11 shall meet during the month of September, 2000 to review this rule and determine if any adjustments are needed.

The foregoing District Rule having been formally adopted by the Courts in District #11, the same is hereby promulgated and made effective as of the 1st day of March, 2000.


Jon W. Webster
Jennings County
Circuit Court


James Funke, Jr.
Jennings County
Superior Court



STEPHEN R. HEIMANN, JUDGE

Bartholomew Circuit Court
Ninth Judicial Circuit
234 Washington Street
Columbus, Indiana 47201

Telephone: (812) 379-1605
Fax: (812) 379-1764

March 7, 2000

Lilia G. Judson
Exec. Dir. of State Court Admin.
Suite 1080, South Tower
115 W. Washington St.
Indianapolis, IN 46204

In Re: District #11 Caseload Redistribution Plan

Dear Lilia:

The judges in our district met recently and approved some changes to the Caseload Redistribution Plan for District #11. I am enclosing an executed copy of the amended copy, which has been signed by the judges in Bartholomew County. You should be receiving identical amended rules from the other counties in our district which include Decatur, Jennings, Jackson, and Brown. I have also included a draft copy with *italicized print* that more clearly shows the changes made. The changes are in Rule 2(D) and 2(E). As you can see, there are no major substantive changes. The changes are more in the nature of clarifications.

Please forward this amended rule to the appropriate entity for approval. Thank you for your help.

With kind regards,

A handwritten signature in cursive script that reads "Steve".

Stephen R. Heimann

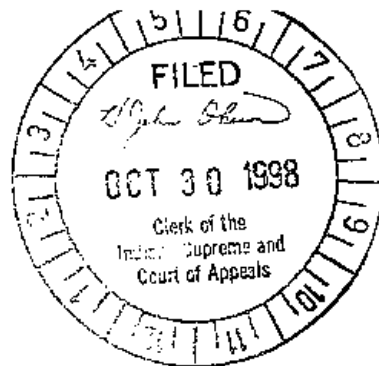
SRH/sh

Encls.

CC: Judge(s) Guthrie, Westhafer, Monroe, Webster, Funkc,
Stewart, Wilke, Vance & Coriden

*P.S. The actual rules for your Court are
included in the Circuit Judge's envelope.
Steve*

IN THE
SUPREME COURT OF INDIANA



IN THE MATTER OF THE)
)
APPROVAL OF LOCAL RULES) Case No. 40S00-9810-MS-574
)
FOR JENNINGS COUNTY)

ORDER APPROVING LOCAL RULE
ADOPTED PURSUANT TO ADMINISTRATIVE RULE 15

The judges of the Jennings Circuit and Superior Courts have forwarded for approval by this Court a local rule for the regulation of court reporter services in accordance with Administrative Rule 15. Such local rule for Jennings County is set forth as an attachment to this order. This Court finds that the local rule should be approved.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED by this Court that the *Order*, entered April 28, 1998, by the Jennings Circuit and Superior Courts adopting *Rule 13 for Court Reporter Services* is approved.

The Clerk of this Court is directed to forward a copy of this order to the judges of the Jennings Circuit and Superior Courts and the Clerk of said courts.

The Clerk of the Jennings Circuit and Superior Courts is directed to enter this order in the Record of Judgments and Orders for such courts and post this order for examination by the Bar and general public of Jennings County.

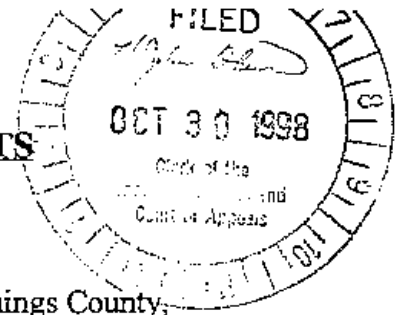
DONE at Indianapolis, Indiana, this 30th day of October, 1998.

FOR THE COURT

R T Shepard

Randall T. Shepard
Chief Justice of Indiana

JENNINGS CIRCUIT AND SUPERIOR COURTS
LOCAL RULE 13



The undersigned courts comprise all of the courts of record of Jennings County, Indiana, and hereby adopt the following local rule by which court reporter services shall be governed.

Section One. Definitions. The following definitions shall apply under this local rule:

1. A *Court Reporter* is a person who is specifically designated by a court to perform the official court reporting services for the court including preparing a transcript of the record.
2. *Equipment* means all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall including, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other devices used for recording and storing, and transcribing electronic data.
3. *Work space* means that portion of the court's facilities dedicated to each court reporter, including, but not limited to, actual space in the courtroom and any designated office space.
4. *Page* means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 7.2.
5. *Recording* means the electronic, mechanical, stenographic, or other recording made as required by Indiana Rule of Trial Procedure 74.
6. *Regular hours worked* means those hours which the court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court to court within the county, but remain the same for each work week.
7. *Gap hours worked* means those hours worked that are in excess of the regular hours worked, but hours not in excess of forty (40) hours per work week.
8. *Overtime hours worked* means those hours worked in excess of forty (40) hours per week.
9. *Work week* means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year; i.e., Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.

10. *Court* means the particular court for which the court reporter performs services. Court may also mean all of the courts in Jennings County.

11. *County indigent transcripts* means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court.

12. *State indigent transcript* means a transcript that is paid for from state funds and is for the use on behalf of a litigant who has been declared indigent by a court.

13. *Private transcript* means a transcript, including, but not limited to, a deposition transcript, that is paid for by a private party.

Section Two. Salaries and Per Page Fees.

1. Court Reporters shall be paid an annual salary for time spent working under the control, direction, and direct supervision of their supervising court during any regular work hours, gap hours, or overtime hours. The supervising court shall enter into a written agreement with the court reporters which outlines the manner in which the court reporter is to be compensated for gap and overtime hours; i.e., monetary compensation or compensatory time off regular work hours.

2. The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript shall be Four and no/100 Dollars (\$4.00); the court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts.

3. The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript shall be Four and no/100 Dollars (\$4.00).

4. The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be Four and no/100 Dollars (\$4.00).

5. Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of either county indigent, state indigent, or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State Court Administration.

Section Three. Private Practice.

1. If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, and the court reporter desires to utilize the court's equipment, work space and supplies, the court agrees to the use of the court equipment for such purpose, the court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:

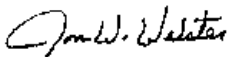
a. The reasonable market rate for the use of equipment, work space, and supplies;

b. The method by which records are kept for the use of equipment, work space, and supplies; and

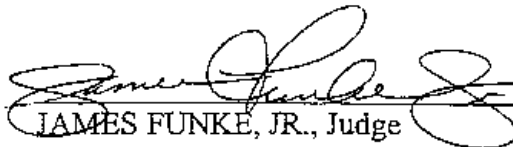
c. The method by which the court reporter is to reimburse the court for the use of the equipment, work space, and supplies.

2. If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.

ADOPTED at Vernon, Jennings County, Indiana, this 28th day of April, 1998.



JON W. WEBSTER, Judge
Jennings Circuit Court



JAMES FUNKE, JR., Judge
Jennings Superior Court